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Monday, September 9, 1974
Bhadra 8, 1896 (Saka)

LOK SABHA DEBATES

(Eleventh Session)

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LOK SABHA SECRETARIAT
NEW DELHI
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LOK SABHA

Monday, September 9, 1974/Bhadra 18, 1896 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

RE ADJOURNMENT MOTIONS

SHRI S M BANERJEE (Kanpur): Mr Speaker Sir, I am moving an adjournment motion on the Mana Camp incident

अध्यक्ष महोदय विजिलेंस एडवाइजरी कमेटी एक फैसला करती है और हाउस उसको एप्रूव कर रहा है, उसके बावजूद भी आप इस तरह की चीजों को उठा रहे है

SHRI S M BANERJEE You will kindly allow me five minutes only Since the refugees have been killed—three people have been killed including one lady—I would request you to ask the Minister for Rehabilitation to make a statement And the Government should make an announcement for a judicial probe

श्री अटल बिहारी वाजपेयी (ग्वालियर) हमने फैसला किया था कि एडजर्नमेंट मोशन नहीं लायेंगे। इसीलिये मैंने सूचना इसकी नहीं दी। लेकिन जो कुछ हुआ है वह बहुत दर्दनाक है। शरणार्थियों पर गोलियां चली हैं, मौतें हुई हैं। आप मंत्री महोदय को कह सकते है कि सदन की कार्रवाई समाप्त होने से पहले इसके बारे में बयान दें।

SHRI S M BANERJEE: You may allow me later Kindly ask the Minister to make a statement

SHRI NOORUL HUDA (Cachar) Sir you may, direct the Minister to make a statement.

अध्यक्ष महोदय चूंकि आपने फैसला किया था कि कुछ नहीं लाना है इसलिये मैंने एडजर्नमेंट मोशन को देखा नहीं है। आज देखूंगा कि क्या आई है और मिनिस्टर को भेज दूंगा। बयान दिलवाना हुआ तो दिलवा दूंगा।

ANNOUNCEMENT BY SPEAKER *RE.* APOLOGY TENDERED BY THE EDITOR OF THE *HINDUSTAN TIMES* FOR A NEWS REPORT PUBLISHED IN THE PAPER.

MR SPEAKER On the 4th September, 1974, I had drawn the attention of the House to a news report published in the *Hindustan Times* dated the 4th September 1974, in which it was stated that according to a competent source, the CBI proceeded in the matter only after securing the Lok Sabha Speaker's permission

2 I have now received a letter dated the 5th September, 1974, from the Editor of the *Hindustan Times* which reads as follows —

> "I am extremely sorry that your name was mentioned in the report carried by the *Hindustan Times* yesterday in connection with the CBI inquiries into the Import Licence case without reference to you
>
> As you stated in the House this could have been checked with you The failure to do so was quite inadvertent but I would nevertheless wish to tender an apology that this should have happened I can assure you

[Mr. Speaker]

that there was absolutely no intention on our part to cause any embarrassment or cast any reflection on your august office."

I greatly appreciate it because the Editor of the *Hindustan Times* had read it in the proceedings and on realisation he has done it *suo motu*.

11.06 hrs

PAPERS LAID ON THE TABLE

ANNUAL REPORTS OF DEVELOPMENT COUNCIL FOR LEATHER AND LEATHER GOODS INDUSTRIES

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): Sir, on behalf of Shri C. Subramaniam, I beg to lay on the Table a copy each of the following Reports (Hindi and English versions) under sub-section (4) of section 7 of the Industries (Development and Regulation) Act, 1951:—

(1) Annual Report of the Development Council for Leather and Leather Goods Industries for the year 1971-72.

(2) Annual Report of the Development Council for Leather and Leather Goods Industries for the 1972-73. [*Placed in Library. See* No. LT-8403/74.]

SHRI S. M. BANERJEE (Kanpur): Sir, the whole difficulty is the above two reports relate to the year 1971-72 and 1972-73 and the Minister has laid these on the Table of the House without any apology. So, I would request you not to allow these papers to be laid on the Table.

अध्यक्ष महोदय : हर मिनिस्टर ऐसा होता है तो रीजन देता है । मैं देखूंगा आफिस में रीजन आया हुआ है या नहीं । नहीं आया होगा तो मैं आपकी प्रोटेस्ट मिनिस्टर तक पहुंचवा दूंगा ।

NOTIFICATIONS UNDER WILD LIFE PROTECTION ACT AND COPY OF GUJARAT PRIVATE FORESTS (ACQUISITION) AMENDMENT ACT.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHEB P. SHINDE): Sir, on behalf of Shri B. P. Maurya, I beg to lay on the Table:

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 63 of the Wild Life Protection Act, 1972:—

(i) The Wild Life (Stock Declaration) Rules, 1974, published in Notification No. G.S.R. 365(E) in Gazette of India dated the 14th August, 1974.

(ii) The Wild Life (Transactions and Taxidermy) Rules, 1974, published in Notification No. G.S.R. 366(E) in Gazette of India dated the 14th August, 1974. [*Placed in Library. See* No. LT-8404/74.]

(2) A copy of the Gujarat Private Forests (Acquisition) Amendment Act, 1974, (Hindi and English versions) (President's Act No 9 of 1974) published in Gazette of India dated the 23rd July, 1974, under sub-section (3) of section 3 of the Gujarat State Legislative (Delegation of Powers) Act, 1974 [*Placed in Library. See* No. LT-8405/74].

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, there is a most unusual phenomenon. Section 144 is clamped all over U.P. and there is complete negation of Fundamental Rights. (*Interruptions*).

MR SPEAKER Don't do it in a wild manner Why do you introduce it here?

SHRI JYOTIRMOY BOSU (Diamond Harbour) Sir, Dr Steidenbaker is working for the Smithsonian Institute of US Army

REPORT OF REVIEW COMMITTEE OF CENTRAL EXCISE (SELF REMOVAL PROCEDURE) VOLUMES I AND II, GUJARAT NOTIFICATIONS UNDER GUJARAT SALES TAX ACT AND BOMBAY SALES OF MOTOR SPIRIT TAXATION ACT AND STATEMENT CLARIFYING POINTS RAISED BY SHRI SEZHIYAN AND OTHER re EXPENDITURE FROM GUJARAT CONSOLIDATED FUND

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K R GANESH) I beg to lay on the Table—

(1) (i) A copy of the Report of the Review Committee of Central Excise (Self Removal Procedure) Volumes I and II

(ii) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the Report [*Placed in Library See* No LT-8406/74]

(2) A copy each of the following Gujarat Notifications (Hindi version) under sub-section (3) of section 49 of the Gujarat Sales Tax Act, 1969, read with clause (c)(iii) of the Proclamation dated the 9th February, 1974 issued by the President in relation to the State of Gujarat —

(i) Notification No (GHN-246) GST-1074-(S 49)-(30)-TH published in Gujarat Government Gazette dated the 25th March, 1974 making certain amendments to Notification No (GHN-627) GST-1070/(S 49)-TH dated the 29th April, 1970

(ii) Notification No (GHN-255) GST-1074-(S 49)-(31)/TH published in Gujarat Government Gazette dated the 25th April, 1974 making certain amendments to Notification No (GHN-627) GST 1070/(S 49)-TH dated the 29th April 1970

(iii) Notification No (GHN-261) GST-1074/(S 49)-(32)/TH published in Gujarat Government Gazette dated the 9th May, 1974 making certain amendments to Notification No GHN-1627) GST 1970 (S 49)/TH dated the 29th April 1970 [*Placed in Library See* No LT-8407/74]

(3) A copy each of the following Gujarat Notifications (Hindi version) under sub-section (5) of section 86 of the Gujarat Sales Tax Act 1969 read with clause (c)(iii) of the Proclamation dated the 9th February, 1974 issued by the President in relation to the State of Gujarat —

(i) The Gujarat Sales Tax (Amendment) Rules 1974, published in Notification No (GHN-230) GSR-1074/(11)-TH in Gujarat Government Gazette dated the 2nd April 1974

(ii) The Gujarat Sales Tax (Second Amendment) Rules, 1974 published in Notification No (GHN-252) GSR-1074/(12)-TH in Gujarat Government Gazette dated the 16th April, 1974

(iii) The Gujarat Sales Tax (Third Amendment) Rules, 1974, published in Notification No (GHN 266) GSR-1074/(13)-

TH in Gujarat Government Gazette dated the 29th May, 1974. [*Placed in Library. See* No. LT-8408/74.]

(4) A copy each of the following Gujarat Notifications (Hindi version) under sub-section (4) of section 36 of the Bombay Sales of Motor Spirit Taxation Act, 1956, read with clause (c) (iii) of the Proclamation dated the 9th February, 1974 issued by the President in relation to the State of Gujarat:—

(i) The Bombay Sales of Motor Spirit Taxation (Gujarat Second Amendment) Rules 1974, Published in Notification No. (GHN-256) MSA-1074/(21)-TH in Gujarat Government Gazette dated the 25th April, 1974.

(ii) The Bombay Sales of Motor Spirit Taxation (Gujarat Third Amendment) Rules, 1974, published in Notification No. (GHN-264) MSA-1074(22)-TH in Gujarat Government Gazette dated the 21st May, 1974. [*Placed in Library. See* No. LT-8409/74.]

(5) A statement (Hindi and English versions) clarifying the points raised by Shri Era Sezhiyan and other Members in the House on the 6th September, 1974 regarding expenditure from the consolidated Fund of Gujarat authorised by Presidential Order dated the 14th June, 1974 in pursuance of clause (c) of article 357(1) of the Constitution. [*Placed in Library. See* No. LT-8410/74]

SHRI SEZHIYAN (Kumbakonam): Sir, in regard to Item No. 3, I have already given a note.

MR. SPEAKER: Mr. Sezhiyan, I did not get your name.

SHRI SEZHIYAN: Sir, it is stated in Item No. 3(5):

"A statement (Hindi and English versions) clarifying the points raised by Shri Era Sezhiyan and other Members in the House on the 6th September, 1974 regarding expenditure from the Consolidated Fund of Gujarat authorised by Presidential Order dated the 14th June, 1974, in pursuance of Clause (c) of Article 357 (1) of the Constitution."

When the Gujarat Proclamation was sought to be extended, I raised a point of Constitutional procedure, and said that it was very irregular

MR. SPEAKER: That was about the question of excess demands for the year 1973-74. I conveyed it to him.

SHRI SEZHIYAN: Sir, on this, he has made a statement now. I do not want to go into the entire statement. It will take more time. But, the statement bristles with many inaccuracies and irregularities which go against the Constitution. Whatever may be the Contingency Fund etc., if they go against the Constitution, then, this will not prevail. But, in this case, may I request you to arrange for a discussion at least in the beginning of the next Session. I would appreciate if you can arrange a meeting, where the Minister, you and ourselves can sit together, so that we can get the points clarified, before we come to the House.

MR. SPEAKER: I will first discuss with you, in what form it should be brought up and then I will let you know.

SHRI H. N. MUKERJEE (Calcutta North-East): In this connection, when Mr. Sezhiyan brought up this point, the House was perturbed and the Chair took note and the direction was that the Law Minister should come and explain. I thought he owed it to the House to give an explanation verbally and not merely fulfil his obligation by a statement.

MR. SPEAKER: There was nothing else to be brought in. Everybody is under the impression that we are going according to the decision arrived at the Business Advisory Committee. I will convey this to the Law Minister also.

ANNUAL REPORT OF CONTROLLER-GENERAL OF PATENTS, DESIGN AND TRADE MARKS FOR 1973-74

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI A. C. GEORGE): Sir, I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Controller-General of Patents, Designs and Trade Marks for the year 1973-74 under section 126 of the Trade and Merchandise Marks Act, 1957. [*Placed in Library. See* No. LT-8411/74.]

STATEMENTS SHOWING ACTION TAKEN BY GOVERNMENT ON VARIOUS ASSURANECS, ETC.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND): I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Lok Sabha:—

Fourth Lok Sabha

(i) Statement No. XXXV
Fifth Session, 1968.

Fifth Lok Sabha

(ii) Statement No. XXXII
Second Session, 1971

(iii) Statement No. XXIII
Fourth Session, 1972

(iv) Statement No. XVI
Seventh Session, 1973

(v) Statement No. X
Eight Session, 1973

(vi) Statement No. VIII
Ninth Session, 1973

(vii) Statement No. VIII
Tenth Session, 1974

(viii) Statement No. II
Eleventh Session, 1974

[*Placed in Library. See* No. LT-8412/74].

SHRI S. M. BANERJEE: Sir, I have to make only two submissions, for your considration and for the consideration of the House. Sir, Shri Shankaranand, Deputy Minister of Parlimentary Affairs has laid on the Table of the House eight statements showing the action taken by Government on various assurances, promises and undertakings given by the Ministers during the various Sessions of the Lok Sabha. Sir, I would only invite your kind attention to the two solomn assurances, one given by the hon. Railway Minister—he is not here now—and the other given by the hon. Minister of Civil Aviation, Shri Raj Bahadur. The assurance was given by the hon. Railway Minister that all those employees who merely participated in the Railway strike of May 1974 would be taken back immediately I am mentioning about the assurance. I must say.....

MR. SPEAKER: He has already laid eight statements on the action taken by Government.

SHRI S. M. BANERJEE: They have not taken action. The whole point is about that. Although submissions were made by us .....

MR SPEAKER: Do not make a speech.

SHRI S. M. BANERJEE: Sir, I will not speak tomorrow. I will speak only today.

MR. SPEAKER: I will allow you, if you want to speak tomorrow

SHRI S. M. BANERJEE: Sir, in this House, we pleaded before the hon. Railway Minister and the Prime Minister that those employees who merely participated in the railway strike should be taken back immediately and those who were said to be involved in violence and sabotage may be placed under suspension and not dismissed. Unfortunately, this assurance has not been met. The second thing is, pilots of Air India are prepared for a settlement. The Minister said 'doors are open'. But, the doors are closed. I would request you to kindly see that these promises are fulfilled.

COAL MINES LABOUR HOUSING AND GENERAL WELFARE FUND (RECRUITMENT TO CLASS III AND CLASS IV POSTS) AMENDMENT RULES,

THE DEPUTY-MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): I beg to lay on the Table—

(1) A copy of the Coal Mines Labour Housing and General Welfare Fund (Recruitment to Class III and Class IV posts) Amendment Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 872 in Gazette of India dated the 10th August, 1974, issued under article 309 of the Constitution.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification. [*Placed in Library. See* No. LT-8413/74.]

INDIAN TELEGRAPH (SEVENTH AMENDMENT) RULES,

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (PROF. SHER SINGH): On behalf of Shri Jagannath Pahadia, I beg to lay on the Table a copy of the Indian Telegraph (Seventh Amendment) Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 935 in Gazette of India dated the 31st August, 1974, under sub-section (5) of section 7 of the Indian Telegraph Act, 1885. [*Placed in Library. See* No. LT-8414/74].

AMENDMENTS TO DIRECTIONS BY THE SPEAKER

SECRETARY-GENERAL: I beg to lay on the Table a copy of the amendments to Directors 55 and 115 issued by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha.

MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya-Sabha:—

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the National Cadet Corps (Amendment) Bill, 1974, which has passed by the Rajya Sabha at its sitting held on the 4th September, 1974."

NATIONAL CADET CORPS (AMENDMENT) BILL

AS PASSED BY RAJYA SABHA

SECRETARY-GENERAL: Sir, I lay on the Table of the House the National Cadet Corps (Amendment) Bill, 1974, as passed by Rajya Sabha.

RAILWAY CONVENTION COMMITTEE

SECOND REPORT

SHRI S. A. KADER (Bombay—Central-South): I beg to present the Second Report of the Railway Convention Committee, 1973 regarding action taken by Government on the recommendations contained in the First Report of the Railway Conven-

tion Committee, 1971 on "Accounting Matters".

11.15 hrs.

STATEMENT RE-CONTINUANCE IN FORCE OF THE PROLAMATION OF EMERGENCY

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT): Sir, Article 352 of the Constitution provides that if the President is satisfied that a grave emergency exists whereby the security of India or of any part of the territory thereof is threatened, whether by war or external aggression or internal disturbance, he may by Proclamation, make a declaration to that effect. The House is fully aware of the circumstances under which the Proclamation of Emergency had to be made on 3-12-1971. By virtue of the provisions of clause (2) of article 352, the Proclamation will continue to be in force until it is revoked by a subsequent Proclamation.

Unstarred question No. 3066, answered on 21st August, 1974, sought to ascertain *inter alia* the reasons for the continuance of the Proclamation of Emergency. While considering the question of the continuance of the Proclamation of Emergency, security requirements of the country have been the most decisive. Accordingly, in the answer furnished, the first place of importance was given to the relevant considerations of security and progress of the process of normalisation of relations with Pakistan. The House had been informed from time to time of the recourse taken by the Government to the provisions of DIR, for dealing with anti-social elements, whose activities are prejudicial to the larger economic interests of the nation. In fact, the use of DIR for dealing with the over-all economic situation in the country had been advocated by several quarters, including Members of Parliament. Since the concrete effect of the Proclamation of Emergency is the continuance in force of the Defence of India Act and Rules, it was thought necessary that the use made thereof to meet the serious economic situation in the country should also be reflected in the answer furnished to the unstarred question. Thus, the reference in the answer to the over-all economic situation in the country was designed only to indicate the totality of the situation in the country.

Sir, I have removed the words 'taken into account by the Government' at the end of the statement supplied.

SHRI S. M. BANERJEE (Kanpur): Why should the emergency continue?

SHRI SHYAMNANDAN MISHRA (Begusarai): The points raised by me have not been answered at all. The point is whether any other reasons could be added to the reasons on the basis of which Parliament had agreed to the Proclamation of Emergency. Now, they have added another reason. Does not that vitiate the Proclamation altogether?

Then, he has not also referred to the statement made by the hon. Prime Minister that there is no war emergency. I had referred to that in my statement and drawn attention to the view of the Prime Minister that there was no war emergency but only an economic emergency. There is nothing like economic emergency in our Constitution. But if what is meant is financial emergency, then on that account, a further Proclamation of Emergency under article 360 is called for. The emergency cannot continue on the basis of article 352 now. The original emergency was proclaimed under article 352. All these points have not been met.

श्री अटल बिहारी वाजपेयी (ग्वालियर): अध्यक्ष महोदय मेरा यह एक व्यवस्था का प्रश्न है।

MR. SPEAKER: There shall not be any question or any debate after the Minister's statement which he himself had asked for.

श्री अटल बिहारी वाजपेयी : म डिबेट नही चाहता, मैं तो आप की व्यवस्था चाहता ।

अध्यक्ष महोदय : मै आप से कहूगा कि हर स्टेटमेंट हर बात तो कवर नही करता । जिस बात को स्टेटमेंट कवर करता है उसको बाद में ले कर फिर बहस कर लेना ।

श्री अटल बिहारी वाजपेयी : एक बड़ी खतरनाक परम्परा कायम हो रही है गृह मंत्री महोदय के वक्तव्य का आखिरी सेंटेंस देख लीजीये....

अध्यक्ष महोदय : टाइम बड़ा लिमिटेड हैं।

श्री अटल बिहारी वाजपेयी : आखरी लाइन से इन्होंने जवाब को एमेंड कर दिया है।

अध्यक्ष महोदय : आप सब लोग जब खड़े हो जाते हैं।

श्री अटल बिहारी वाजपेयी : मेरा व्यवस्था का प्रश्न है।

अध्यक्ष महोदय : आप जब सब खड़े हो जाते हैं, तो रिकार्ड पर कुछ नहीं जाता है । इसलिये मैं जब तक न बुलाऊं, आप न बोलें ।

श्री अटल बिहारी वाजपेयी : मेरा इस पर प्वाइन्ट आफ आर्डर है ।

अध्यक्ष महोदय : मैंने कहा कि इस पर कोई टोका-टाकी नही हो सकती ।

श्री अटल बिहारी वाजपेयी : मैं टोका-टाकी नहीं कर रहा हूं । मैं बहस की मांग नहीं कर रहा हू ।

अध्यक्ष महोदय : आप को तसल्ली नहीं हैं, तो उस पर बहस कर लीजिये अगले सेशन में ।

श्री अटल बिहारी वाजपेयी : मैं इस वक्त बहस नही चाहता । बहस अगले सेशन मे कर लेंगे । मैं आप की रूलिंग चाहता हूं कि क्या मंत्री महोदय ने सवाल के जवाब में जो कहा है, उस को स्टेटमेंट के द्वारा एमेंड कर सकते है । आप आखरी वाक्य देखिये ।

अध्यक्ष महोदय : मैं देखूगा आप प्वाइन्ट आउट करें ।

SHRI SHYAMNANDAN MISHRA: How can that be done in a cavalier manner?

SHRI UMA SHANKAR DIKSHIT: I have not said that the reply stands amended.

श्री अटल बिहारी वाजपेयी "वि रेप्लाई हेज बीन एमेंडड, यह कैसे हो सकता है ?

श्री उमा शंकर दीक्षित : जो स्टेटमेंट सर्कुलेट हुआ है, उसके जो आखरी लफ़्ज है,

"taken into account by the Government."

इन को मैंने नही पढ़ा है ।

श्री अटल बिहारी वाजपेयी : यह साफ कहना चाहते है कि एकेनामिक सिचुएशन को छोड़ा गया है।

अध्यक्ष महोदय : यह जो स्टेटमेंट मेरे पास है, इस में जो आखरी लाइन है, इस को इन्होंने डिलीट कर दिया है ।

श्री अटल बिहारी वाजपेयी : आप आखरी लाइन पढ़िये।

MR. SPEAKER: The last sentence in the statement is:

"Thus, the reference in the answer to the overall economic situa-

tion in the country was designed only to indicate the totality of the situation in the country". "taking into account by the Government"

यह काट दिया गया है।

SHRI SHYAMNANDAN MISHRA: This amounts to surreptitiously amending the reply to a question

श्री अटल बिहारी वाजपेयी : यह जवाब कैसे काट दिया गया। पार्लियामेंट में जो सवाल पूछा गया था और उस सवाल का जो जवाब दिया गया था, उस में एकेनामिक सिचुएशन का हवाला दिया गया था और श्री मिश्र जी का जो मुद्दा 377 के अन्तर्गत था, उस का असली आधार वही था।

अध्यक्ष महोदय : इस से यह टाल्लुक नहीं रखते। आप इस को अलग से ले लीजिये, तो मैं इस को देख लूंगा।

श्री अटल बिहारी वाजपेयी : इस को यह कैसे बदल सकते हैं।

SHRI UMA SHANKAR DIKSHIT: It is not our intention to base this on the basis of the economic situation. . .

MR. SPEAKER: He has not changed it. He has not uttered those words

श्री अटल बिहारी वाजपेयी : यह आप कैसे बदल सकते हैं।

अध्यक्ष महोदय : आप थोड़ी सी मिसअंडरस्टेंडिंग कर रहे हैं।

श्री अटल बिहारी वाजपेयी : इन्होंने उस वक्त कहा था कि हम ऐकनामिक सिचुएशन को कंसिडर नहीं करते। अब यह कह रहे हैं कि हमने जो जवाब दिया था और उस में जो एकनामिक सिचुएशन का हवाला था उस को निकाल दिया जाए।

श्री उमा शंकर दीक्षित : हम ने यह नहीं कहा है। जो हम इस स्टेटमेंट में कह रहे हैं, उस को मैं बता दूं।

I have said that what was said was merely to state certain facts to reflect the situation, the fact of the situation that the DIR had been used for economic offences with the consent of the House and Members of Parliament It was only to have that fact reflected in the reply that that was stated. But otherwise, so far as the continuance of the emergency is concerned we have not taken that into account so far as the statement is concerned.

श्री अटल बिहारी वाजपेयी : इस सदन को भरोसा दिलाने के लिये आप आखरी वाक्य पढ दें।

अध्यक्ष महोदय : दीक्षित जी, आप ही पढ दीजिये कि आखरी सटेंस आप ने कहां खत्म किया।

SHRI UMA SHANKAR DIKSHIT: The last portion of the statement is as follows.

"Since the concrete effect of the Proclamation of Emergency is the continuance in force of the Defence of India Act and Rules, it was thought necessary that the use made thereof to meet the serious economic situation in the country should also be reflected in the answer furnished to the unstarred question"

There is no objection to that Then, the statement goes further to say:

"Thus, the reference . ."

This is only explanatory

"Thus, the reference in the answer to the overall economic situation in the country was designed only to indicate the totality of the situation in the country".

After that, I have not said anything. I have removed the words "taken into account by the Government.".

श्री मधु लिमये (बांका) : मेरा व्यवस्था का प्रश्न है।

SHRI UMA SHANKAR DIKSHIT: After that, full-stop.

श्री मधु लिमये : मेरा व्यवस्था का प्रश्न है।

अध्यक्ष महोदय : यह जो इन्होने नही पढ़ा है, यह रिकार्ड पर नही आएगा ।

श्री मधु लिमये : जो पढ़ा है, उस पर मेरा व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : तो फिर यह जो रूल है उसको काट दीजिये जिस मे कहा गया है कि स्टेटमेंट पर बहस नही होगी ।

श्री मधु लिमये : मैं कोई बहस नही उठाऊंगा ।

अध्यक्ष महोदय : वही बात आ जाती है ।

श्री मधु लिमये : मेरा प्वाइंट आफ आर्डर बोर्डर लाइन होता है। इस मे मेरा व्यवस्था का सवाल है। इस मे आप देखिये कि दो विषयों को इन्होंने मिला दिया, एक एकेनोमिक सिचुएशन को लेकर एमर्जेन्सी और दूसरा डी आई आर का इस्तेमाल, लेकिन मै आप का ध्यान इस बात की ओर दिलाना चाहता हूं कि एमर्जेन्सी हटने के बाद भी डी आई आर के कुछ प्रोवीजन्स कानूनी वैध होते है। इसलिये डी आई आर के इस्तेमाल का और एमर्जेन्सी का कोई संबंध नही है। हम यह जानना चाहते हैं कि एमर्जेन्सी को बरकरार रखने मे क्या आर्थिक स्थिति एक कारण रहा है? मै श्री श्याम नन्दन मिश्र जी के मुद्दे का समर्थन करता हू और आप की व्यवस्था चाहता हूं इस के ऊपर। मैं यह व्यवस्था चाहता था कि श्री श्यामबाबू ने यह कहा है कि विदेशी आक्रमण के लिये जो एमर्जेन्सी थी, अब क्या विभिन्न आन्दोलनों के लिये जो कि आर्थिक स्थिति के कारण चल रहे है, यह चलती रहेगी। यह जो फैक्टर्स हैं उन में यह नया जोड़ने से तो यह असंवैधानिक हो जाती है, अनकांस्टीट्यूशनल हो जाती है। यह अनेक मुद्दे हैं। इस में आप की व्यवस्था चाहता हू। मेरा कहना यह है कि डी आई आर और इमर्जेन्सी का, आपस मे कोई सीधा संबंध नही है।

SHRI JYOTIRMOY BOSU: (Diamond Harbour): Because of the emergency, no less than 8,000 political prisoners are detained without trial. By amending the Defence of India Rules, they are competent to keep them detained without any restriction on time, as long as they like. The minister should be good enough to enlighten the House as to what the ruling party have been able to get by keeping the emergency alive.

SHRI S. M. BANERJEE: Although there was a motion before the House admitted by you and although we could have demanded a discussion because of want of time, we wanted a statement. In his statement, the minister has referred to an Unstarred Question in reply to which also it was said that not only for external aggression but to deal with economic offences also DIR was used and emergency is necessary DIR may or may not be used for political purposes or other purposes. It is not linked with that. You asked the minister to clarify because there is no external aggression and emergency is not necessary. But to deal with the economic situation, which has arisen out of the failures of this Government for the last 27 years, they are utilising it.

MR. SPEAKER: Mr. Mishra's point of order was very simple. Can the minister through his statement expand, add or deteract or substract from the answer given to the question

SHRI SHYAMNANDAN MISHRA: And also the statement made by the Prime Minister—nothing can be more authoritative than that—that there is no war emergency.

MR. SPEAKER: Your question was, through this process can he expand, add or substract from the answer given. I take this as the point of order.

SHRI H. N. MUKERJEE (Calcutta North East): Could I ask you on a point of order whether Parliament could justify itself by being told by the Minister that the Proclamation of Emergency, which was continuing on a certain basis, continues now on another basis, even though the Constitution permits it? How could we justify ourselves? And this is the last day of our session. Could we go back, after hearing the Minister say that he can continue the Proclamation of Emergency on grounds qualitatively different from the grounds promulgated earlier, even though the Constitution allows you to make the law...

SHRI UMA SHANKAR DIKSHIT: I have not said that.

श्री अटल बिहारी वाजपेयी : जो ब्यान दिया है इसको आप थोड़ा गहराई से पढ़ें। यह बड़ा हास्यास्पद है। वह कहते हैं कि एमरजेंसी के अन्तर्गत डी आई आर है और डी आई आर इकोनोमिक आफेंसेज के लिये भी काम में लाये जा रहे हैं इसलिए इकोनोमिक सिचुएशन को भी हमें कन्सीडर करना पड़ेगा। क्या टोटेलिटी का मतलब यह नहीं निकलता है। इकोनोमिक सिचुएशन को मीट करने के लिये अगल कायदें हैं। (**व्यवधान**)..एमरजेंसी की वजह से डी आई आर आया और अब डी आई आर की वजह से एमरजेंसी कायम रहे यह कितना मजाक है। यह संविधान के साथ खिलवाड़ हो रहा है। (**व्यवधान**)

SHRI SHYAMNANDAN MISHRA: My humble submission is that you kindly compare the statement made by the hon. Minister today with the statement that I had made earlier under rule 377. If you are satisfied that all the points raised by me have been adequately met by the hon. Minister, I will have nothing to say. But I have raised certain issues; the emergency is being continued on grounds which Parliament had not approved of. Now, in the name of economic offences, they cannot continue the emergency perpetually..... (*Interruptions*)

श्री अटल बिहारी वाजपेयी : हम अपना असंतोष प्रकट करने के लिये सदन से बाहर जा रहे है। यह फंडेमेंटल राइट्स का सवाल है।

[*Shri Samar Mukherjee, Shri H. N. Mukerjee, Shri Sezhiyan, Shri Atal Bihari Vajpayee, Shri Shyamnandan Mishra, Shri Madhu Limaye and some other hon. Members then left the House*]

11.35 hrs.

STATEMENT RE: ALLEGED BEATING OF NEWSMEN BY POLICE IN AHMEDABAD ON 7TH AUGUST 1974

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): I beg to lay on the Table a statement, in pursuance of matter raised by Shri Atal Bihari Vajapayee on the 30th August, 1974, regarding alleged beating of newsmen by Police in Ahmedabad on the 7th August, 1974.

Statement

According to the information received from the Government of Gujarat, a complaint was lodged by Smt. Ilaben Prakash Jagatram at Navrangpura police station, Ahmedabad alleging that she was molested by a journalist Shri Asraf Sayed of the Times of India, Ahmedabad when she was returning to her residence with her husband at 10.30 P.M. on the night of 7th August, 1974. It was further alleged that her husband was also beaten by the Journalist and some of Shri Sayed's friends.

2. Shri Sayed also filed a complaint against Shrimati Ilaben Prakash Jagatram and her husband under section 323 of the I.P.C.

[Shri F. H. Mohsin]

3. The incident is believed to have occurred between 10.30 and 11.00 P.M. on the 7th August, 1974 and the Police was informed at about 11.30 P.M. The complaint of Shrimati Ilaben Prakash Jagatram was recorded at about 1.40 A.M. and of Shri Sayed at about 3.00 A.M. after his medical examination at the Civil Hospital.

4. At about 3.30 A.M. about 25 Journalists went to the residence of Shri H. C. Sarin, Adviser to the Governor alleging that the Police had deliberately delayed the taking down of the complaint of Shri Ashraf Sayed.

5. As the matter was not so urgent as to wake up the Adviser at such an early hour, the Police asked the Journalists not to disturb the Adviser. The police put up a cordon to prevent the Journalists from getting into the residence of the Adviser. The Journalists tried to break in the cordon and a scuffle ensured. Shri Sarin however, met the Journalists at about 4.30 A.M. as soon as he was woken up. The Journalists complained to him that the Police had used force and manhandled them.

6. On receipt of a written complaint from the Journalists the Government of Gujarat have asked a senior officer Shri R. Chandramouli, Secretary, Food and Civil Supplies Department to enquire into the allegations against the Police made by the Journalists. The enquiry report is awaited. Meanwhile the two complaints are under investigation with the Police and further action will be taken on them depending upon the result of the investigation.

11.36 hrs.

DELHI SALES TAX BILL

APPOINTMENT OF MEMBERS TO SELECT COMMITTEE

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): I beg to move:

"That this House do appoint Sarvashri Chakleshwar Singh, Biren Dutta and M. Deiveekan to the Select Committee on the Bill to consolidate and amend the law relating to the levy of tax on sale of goods in the Union Territory of Delhi, *vice* Sarvashri Rudra Pratap Singh, Madhuryya Halder and R. P. Ulaganambi resigned."

MR. SPEAKER: The question is:

"That this House do appoint Sarvashri Chakleshwar Singh, Biren Dutta and M. Deiveekan to the Select Committee on the Bill to consolidate and amend the law relating to the levy of tax on sale of goods in the Union Territory of Delhi, *vice* Sarvashri Rudra Pratap Singh, Madhuryya Halder and R. P. Ulaganambi resigned."

The motion was adopted.

11.37 hrs.

CENTRAL AND OTHER SOCIETIES (REGULATION) BILL

CONCURRENCE IN RECOMMENDATION OF RAJYA SABHA TO JOIN IN JOINT COMMITTEE

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITIRAJ SINGH CHAUDHARY): Sir, with your permission, I beg to move:

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for the incorporation, regulation and winding up of the Central societies and declared Central societies and regulation of aided Union territory societies and amalgamation of Central societies or aided Union territory societies with similar societies and for matters connected therewith or incidental thereto, made in the motion adopted by Rajya Sabha at its sitting held on the 6th September, 1974 and communicated to this House on the 6th September, 1974 and do resolve that the following

30 Members of Lok Sabha be nominated to serve on the said Joint Committee. namely:—

Shri Bashweshwar Nath Bhargava, Shri Chandulal Chandrakar, Shri Ishwar Chaudhry, Shri Chhotey Lal, Shri C. Chittibabu. Shri Shivaji Rao S. Deshmukh., Shri Laxman Kakadya Dumada, Shri Genda Singh, Shri P. K. Ghosh., Shri Manoranjan Hazra, Shri Kamla Prasad, ,Shri N. .S. Kamble, Shri Inder J. Malhotra, Shri Jagdish Narain Mandal, Dr. Mahipatray Mehta, Shri Janeshwar Misra, Shri S. A. Muruganantham, Kumari Maniben Vallabhai Patel Shri R R Patel, Shri T. A. Patil, Shri Banamali Patnaik, Shri Dhan Shah Pradhan, Shri P. V. G Raju Shri Ram Dayal, Shri P. Narasimha Reddy, Shri Bishwanath Roy, Shri Shankar Dev, Shri N Tombi Singh, Shri G. P. Yadav and Shri Niti Raj Singh Chaudhary.

MR SPEAKER The question is:

"That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to provide for the incorporation, regulation and winding up of the Central societies and declared Central societies and regulation of aided Union territory societies and amalgamation of Central societies or aided Union territory societies with similar societies and for matters connected therewith or incidental thereto, made in the motion adopted by Rajya Sabha at its sitting held on the 6th September, 1974 and communicated to this House on the 6th September, 1974 and do resolve that the following 30 Members of Lok Sabha be nominated to serve on the said Joint Committee, namely:—

Shri Bashweshwar Nath Bhargava, Shri Chandulal Chandrakar, Shri Ishwar Chaudhry, Shri Chhotey Lal, Shri C. Chittibabu, Shri Shivaji Rao S. Deshmukh, Shri Laxman Kakadya Dumada, Shri Genda Singh, Shri P. K. Ghosh, Shri Manoranjan Hazra, Shri Kamala Prasad, Shri N. S. Kamble, Shri Inder J. Malhotra, Shri Jagdish Narain Mandal, Dr. Mahipatray Mehta, Shri Janeshwar Misra, Shri S. A Muruganantham, Kumari Maniben Vallabhbhai Patel, Shri R. R. Patel, Shri T. A Patil, Shri Banamali Patnaik, Shri Dhan Shah Pradhan, Shri P. V G. Raju, Shri Ram Dayal, Shri P. Narasimha Reddy, Shri Bishwanath Roy Shri Shankar Dev, Shri N. Tombi Singh, Shri G. P. Yadav, and Shri Niti Raj Singh Chaudhary

The motion was adopted.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I have given certain notices of privilege motions.

MR SPEAKER: No privilege motion today.

SHRI JYOTIRMOY BOSU: Allright, Sir In the next Session I thought, Shri L N. Mishra would come out with a statement, but nothing has come

श्री अटल बिहारी वाजपेयी (ग्वालियर) : उस दिन आई टी आई के विद्यार्थियों और अध्यापकों पर जो लाठी वर्षा की गई, पुलिस प्रिंसिपल की आज्ञा के बिना अन्दर घुस गई और बिहार में जो गोलीकाड हुआ जिस मे भूतपूर्व मंत्री की हत्या की गई है, उसके बारे मे हमने बयान देने को मांग की थी। मिश्रा जी ने वादा भी किया था कि वे आज बयान देंगे. . . .

अध्यक्ष महोदय : मैंने उनको भेज दिया है एक दम कैसे आ जाता ।

श्री अटल बिहारी वाजपेयी : दिल्ली वाला मामला तो आ ही सकता था उसके लिये तो जानकारी बाहर से इकट्ठी नहीं करनी थी।

अध्यक्ष महोदय : क्या फायदा हुआ? उस दिन 40-45 मेम्बर बोले, आपने फैसला भी किया है कि समय की बड़ी तंगी है। इसको देखते हुये आपने एक टाइम टेबल भी बनाया। अगर इसी तरह चलना है तो फिर बड़ी मुश्किल हो जाएगी इस को चलाने में। आप ने शाम को मोशन के लिए भी वक्त रखा है, यह बिल भी है। डेढ़ घंटे दो घण्टे डिमाडस के लिए चाहिए, उस के बाद दूसरा बिल है। आप ने एक घंटा यह भी ऐसे ही ले लिया तो आखिर में बड़े टाइट हो जाएंगे। इसलिए जो हाउस में फैसला करते हैं उस पर स्टिक करिए। आखिर यह कोई आखीरी दिन थोड़े ही है, फिर मिल रहे है दो महीने बाद।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, लाईसेंस के बारे मे मेरा मोशन कितने बजे आएगा, यह आप तय कर दीजिए। अगर यह रेलवे की बहस चलती रही तो हो सकता है .... (**व्यवधान**)..

अध्यक्ष महोदय : भोरा साहब बहुत ज्यादा आप हर फूल पर घूमते है। हर एक बात पर उठते है।

श्री अटल बिहारी वाजपेयी : क्या गोभी का फूल भी उस में शामिल है?

अध्यक्ष महोदय : गोभी का फूल तो छोड़िये आज कल तो आप बैठते ही नहीं कभी। अगर कही बैठ जायं तो आप का जरा जोश ठण्डा हो जाय।

अब यह देखिए, टाइम की पोजीशन यह है कि बेलेंस टाईम सप्लीमेंट्री डिमाड्स फार रेलवेज का 1 घण्टा 45 मिनट रहता है। दस पन्द्रह मिनट मोशन पुट करने में लग जायगा, फिर दस पन्द्रह मिनट अप्रोप्रिएशन बिल पर लगेगा। उस के बाद एक घण्टा बोनस बिल के लिए है। तो ढाई बजे से पहले नहीं आ सकेगा। मेरा ख्याल है कि ढाई बजे आप सब काम खत्म कर के इसे ले लीजिए और इस में और चीजें घुसड़ने की कोशिश मत कीजिए, नही तो फिर और आगे चला जायगा।

Now, we take up the next item Supplementary Demands for Grants—Railways.

PROF. NARAIN CHAND PARASHAR.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta—South): I want to raise a very important matter... *

Interruptions.

SHRI KRISHNA CHANDRA HALDER (Ausgram): I want to draw your attention and the attention of the House to the serious situation....*

Interruptions.

MR. SPEAKER: Nothing will go on record. We have moved on to the next item. I have called Prof. Narain Chand Parashar.

मैं आप से कहूं कि जिस मेम्बर को मैंने बुलाया है वही बोल रहा है, बाकी सब नहीं बोल रहे हैं। आप शोर कर लीजिए जितना करना चाहते हैं। जाते वक्त भी शुरू कर दिया। मैंने उस दिन आप लोगों को अनप्रेसिडेंटेड तौर पर एकमोडेट किया। फिर तो नहीं होगा।

*Not recorded.

11-47 hrs.

SUPPLENMENTARY DEMANDS FOR GRANTS RAILWAYS 1974-75—*contd.*

PROF. NARAIN CHAND PARASHAR (Hamirpur) I rise to support the Supplementary Demands for Railways.

At the same time, I am afraid some of the levies will be quite burden some to the common man. I would, therefore, request the Railway Minister to have a second look at them, in particular, I would refer to paper, salt, sugar and cement Throughout the country, to-day, there is an acute shortage of exercise books text-books and similar other items If the levy on paper is maintained, the country is going to suffer still further It is not that the affluent sections will be affected but the common man and woman and still more, it will be the children who will suffer the most I would request the hon Minister to exempt paper from the increase of levy. Similarly, salt is the symbol of our national struggle and even Mahatma Gandhi staged a Satyagraha in Gujarat for this very purpose I would, therefore request the Minister that salt should also be exempted from the increase in levy. In the same way, sugar which has now become a common man's necessity may also exempted as also cement because cement is required for so many programmes of the Government and private people and it is so much essential for enlarging the network of roads and bridges, for national highways and State high ways.

I would request the hon. Minister to reconsider all these four items and exempt them from the increase in a levy.

The second point I wish to make is that he has increased the fares and exempted only the first 25 kilometres of the journey. The first 25 kilometres of the journey does not mean anything because in the far-flung border areas people have to travel quite a distance to come to the head quarters of the district. So, in order that the common man in these areas may avail himself of the facility provided by the railways and also may have adequate relief, I would request him to come forward and increase the exemption distance from 25 km to 100 km. If the distance is increased from 25 km to 100 km people who have to come from their native home towns or villages to the District headquarters will be able to avail themselves of this opportunity and thereby, congestion in the buses and the heavy pressure on road transport will also be reduced

In this connection, I would invite the attention of the hon Railway Minister to one of the recommendations of the Tarlok Singh Committee on railroad transport co-ordination One of the specific recommendations relates to these rates and fares and I would ask the Railways and also the Government to have a new look The committee's recommendation is

> The concessions given by the railways in fares and freight rates have to considered on merits. To the extent that these concessions are granted in the larger public interest and involve losses to the railways, account should be taken of them in determining the railways' commitments to the general finances

I should request him to approach the Railway Convention Committee and the Ministry of Finance so that Railways commitment to the general revenues might be set right The railways are a utility service and appropriate relief to the common man and the students I would request him to have re-thinking on the system of increases in frieghts and passenger fares and especially examine the first 100 kms of passenger traffic and the four items mentioned by me, salt cement sugar and paper.

Mr. Mishra's coming to the Railway Ministry was marked as an historical event in the history of the Indian Railways He is the first Railway Miister to give concrete shape to the new concept for railway lines in backward areas. Even earlier the Railway Minis-

[Prof. Narain Chand Parashar]

ters like Shri Hanumanthaiya had stressed the need. In his budget speech for 1972-73 Shri Hanumanthaiya said:

> "The existing pattern of railways in India is proving to be inadequate for its growing needs. More conversions from metre gauge to broad gauge and new broad gauge lines have necessarily to be taken up."

Similarly on an earlier occasion Shri Gulzarilal Nanda when he was Railway Minister in one his speech in this House published in a book from under the title "New Tasks for the Railways", had said this:

> "In view of the increasing demand from State Governments, from the public and from the Members of Parliament and, keeping in view the transport requirements of specific large industrial or mining projects or major port schemes and Railways own operational needs or those required for strategic considerations, surveys have been or are proposed to be taken up in respect of schemes covering about 2000 kms.

Shri Nanda, Shri Hanumanthaiya and thereafter Shri L. N. Mishra gave specific assurances to this House

In the gudget speech made for 1973-74, in para 41, Shri L N. Mishra specifically said:

> "The construction of new lines is one such item where an entirely new approach may have to be thought out.

In that budget Shri Mishra brought out a new concept. The concept was that the State Governments be asked to share the burden and contribution for the general revenues from the railways should be reduced. The Railway Convention Committee in one of its reports had reduced the rate for Kathua-Jammu line for the contribution to the general finances. I would request the Railway Minister that lines of strategic importance and lines in backward areas should be exempted. I invite his pointed attention to a request made by sixty Members of Parliament to the hon. Prime Minister Indira Gandhi who suggested to the Railway Minister the survey of Nangal Talwara railways line in 1972 when Shri Hanumanthaiya was the Railway Minister. The then hon. Minister of Irrigation and Power, Shri Rao, also said that the States of Punjab and Himachal Pradesh would be able to serve the country better if these two power projects at Bhakra and Pong were connected by the railway line. A survey had been made and on 13 th August, 1974, Mr. Mishra had made an announcement in reply to my starred Question in this House that the railway line had been sanctioned. In reply to a supplementary question by Sardar Darbara Singh, our great leader from Punjab, he announced that Rs. 10 lakhs would be provided in this year for the construction of that line. May I ask him whether that amount as announced in reply to starred question No 330 had been made available which will benefit and link the States in the North, Jammu and Kashmir, Himachal Pradesh and Punjab. I had been studying the whole system of railways for the last ten years. Since Independence not a single line has been given to this area Punjab, Himachal Pradesh Jammu and Kashmir had been neglected. What is our fault? We have not burnt a single railway bogie nor killed a single person; we have been peaceful. There has been political stability. Does he like that there should be political stability in Punjab, Jammu and Kashmir, Himachal Pradesh and Haryana or does he not like? Does he went the border people to continue to suffer, these are the persons who send their sons to the Armed Forces? Should they continue to be deprived of the facilities which are consequent upon the development of the railway infrastructure? Our sons are in the Army. We have no Finance we have no industries. Industries are not coming up in Northern Punjab, Himachal Pradesh, Jammu and Kashmir. These are areas which are not getting any industries because there is no railway line. I request the Minister to consider this very sympathetically. Sixty Members of Parliament from all over

India have recommended the early construction of this Nangal Talwara railway line. The P. A. C. in its 120th Report has recommended that in view of the strategic importance of the railway lines in hilly area and backward areas, these lines should not be regarded as unremuneration. The Railway Convention Committee has taken note of this point and has reduced the contribution of the railways to general revenues on the Jammu Kathua railway line Mr. Qureshi should also attend to this line personally because this line will ultimately benefit Jammu and Kashmir also as Nangal could be linked to Pathankot via Samsarpur terrace.

I want to speak a few words about the other important lines.

MR SPEAKER: Kindly conclude. It is not a habit with me to ring the bell.

PROF. NARAIN CHAND PRASHAR There are some other important railway lines Those are: Gaya to Rajghir and Laukha to Laukhi in Bihar and Malda to Behurghat in West Bengal This also should be sanctioned early.

MR. SPEAKER: Please take your seat. Your whip said that we should confine ourselves to five minutes each. There are 38 members. I will not allow more than five minutes.

PROF. NARAIN CHAND PARASHAR: The Ministry of Irrigation and Power of the Central Government has also recommended the early construction of Nangal-Talwara line because it will benefit the two power projects at Bhakra and Pong. So, this should be taken up immediately within this year itself. I request that in order to consider this question of the provision of the railway lines for hilly and backward areas and also sanctioning new branch lines as a whole in the country, a Committee of Members of Parliament should be appointed to recommend on rationalisation of the new lines and provision of missing links which would ultimately make the railway system in India more remunerative and helpful to the country. I repeat my appeal with all emphasis at my command that in view of the demand of 60 Members of Parliament in view of the firm support and demand by the Himachal Pradesh Government, from Punjab Government and the Ministry of Irrigation and Power and the solemn assurance made by the hon. Minister, Shri L. N. Mishra on 13th August, 1974, this railway line should be constructed this year itself.

MR. SPEAKER: Why don't you confine yourself within the time please? You can pick out points which are very important, which can be considered within five minutes time.

I have a new list today from your Whip.. .

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, that is supplemental list. I would like to submit one thing. On the previous day the Chair called three members from the opposition continuously as somebody wanted to go and some had to be accommodated. And the Chair made this observation that three congress members will be called in succession. I am just bringing it to your kind notice.

MR. SPEAKER: Then I have got to call Shri Tiwari and Shri Bhagwat Jha Azad. Then, I will be going to that side. Shri D. N. Tiwary.

12 hrs.

श्री डी० एन० तिवारी (गोपालगंज) : अध्यक्ष महोदय, कुछ दिनों से रेलवे ऐड मिनिस्ट्रेशन का स्वरूप बहुत ही धूमिल और और विकृत हो गया है । इतनी विकृति आ गई है कि कोई भी काम ठीक से नहीं चल रहा है । क्या ट्रेन का चलना हो, क्या समय की पाबन्दी हो, यह भी अनसर्टेन रहता है कि कब कौन सी ट्रेन कैन्सिल हो जाये । कुछ दिन पहले डी-लक्स कैन्सिल हो गई । मालूम नहीं कब कैन्सिल होती है और लोग स्टेशन पर चक्कर खाते हैं, तो

[श्री डी० एन० तिवारी]

मैं कहुगा कि कोई नई लाइन देने के पहले या और कोई नया कम करने से पहले रेलवे एडमिनिस्ट्रेशन का अपना स्वरूप ठीक करना होगा । इन विकृतियों को दूर करना होगा, तभी कोई काम हो सकता है और उस के लिए आप को पहले अपनी कमर कसनी होगी । आप को कोई ऐसा काम नही करना चाहिए जिस से पब्लिक को यह अन्देशा रहे कि यह अपने लिए ही कोई खास प्रबन्ध करते हैं । आज ऐसा हो रहा है आपने जब ट्रेन में जाना होता है तो आध आध घटे तक गाडी में डिले हो जाती है । यह अच्छी बात नही है । इस से मुसाफिर क्या समझते होंगे । आप ठीक समय पर नही आ सके, तो गाडी आधे घण्टे डिले कर दी । ट्रेन में चढने में दिक्कत न हो ट्रेन को बैक करवाते है और फिर वहा लाते हे जहा आप को सुविधा हो । ये ठीक बाते नही हैं । घटनायें नई दिल्ली और पटना में हुई हैं । आप को जाना है इसलिए लाइन बदलने के लिए और दूसरे प्लेटफार्म पर पर जाने के लिए गाडी को बैक किया जाता है और इस तरह से गाडी आधा घटा लेट हो जाती है । नई दिल्ली और पटना में आपने ट्रेन को आधा आधा घटा लेट करवा दिया । इस से मुसाफिर क्या सोचेंगे । आप को ठीक बन्दोबस्त करना चाहिए । लोगों को न्याय ठीक से नही मिलता है । मैंने गत कसलटेटिव कमेटी में इस सबध में कहा था और आप ने कहा था कि दो तीन दिनों में जवाब मिल जायेगा लेकिन आज तक महीनों हो गये, कोई जवाब नही आया । इसलिये जब तक आप को जो विकृतिया हैं, उनको दुरस्त नही करेंगे, तो आप का एडमिनिस्ट्रेशन चल नही सकता है । न आप के आफिसर्स का आप पर विश्वास होगा, न आप के कर्मचारियों का आप पर विश्वास होगा और न जनता का आप पर विश्वास होगा । इसलिये आप अपना आचरण ठीक करिये और कमर कस कर इतजाम को दुरस्त कीजिये । अगर आप ऐसा नही करेंगे, तो न आप और न आप के रेलवे बोर्ड के सदस्यगण एडमिनिस्ट्रेशन को दुरस्त कर सकते हैं । आप की वजह से आधा आधा घटे ट्रेन लेट हो जाया करती है । प्री-स्ट्राइक पीरियड में जो ट्रेने चल रही थी, वे अभी तक रेस्टोर नही हुई है । अब आप के पास क्या बहाना है । अब तो स्ट्राइक नही है । अब आप कोयला मगा सकते हैं, फिर प्री-स्ट्राइक पीरियड वाली ट्रेने क्यों नही रेस्टोर करते हैं ।

दूसरी बात यह है कि आपने 20 परसेन्ट और 25 परसेन्ट फेयर्स बढा दिये । पार्लियामेंट के इतिहास में कभी इतने फेयर्स नही बढाये गये हैं । मेरा ऐसा ख्याल है कि यदि आप अपनी सम्पत्ति की रक्षा कर सकते, पिलफेज को रोकते, चोरियो को रोकते, कारखानों से जो सामान चला जाता है, उसको रोकते और टिकटलेस ट्रेविल को रोकते तो मैं समझता हू कि आप को किराया बढा की बहुत कम जरूरत होती । आप करते क्या है ? आप के पास 18, 20 लाख की जो फोर्स है ये आप की सम्पत्ति की रक्षा नही कर सकती यह किस मर्ज की दवा है । क्यों आप रेलवे बोर्ड जैसे हाथी को पाले हुये है । इसको आप को हटाना चाहिए जब विरोधी पक्ष वाले इसके बारे में कहते थे तो मैं इसका विरोध करता था लेकिन जैसे जैसे दिन बीतते जाते है, मैं भी कनविन्स होता जाता हूं कि बोर्ड व्यर्थ है । जब यह आप की सम्पत्ति की रक्षा नही कर सकते, तो एडमिनिस्ट्रेशन चलेगा कैसे ? इसलिये यह जो पिलफेज चोरी लूट, कोयले की चोरी और कारखानों से चोरी होती है, इसको बन्द कीजिये । टिकटलैस ट्रेविल बन्द कीजिये । ऐसा होगा तो आप सैकड़ों करोड़ रुपया बचा सकते है । लेकिन आप बचाना नही चाहते हैं । इसलिये मैं रेलवे मिनिस्टर साहब से और बोर्ड के लोगों से अपील करूंग कि वे अपने खामाल की रक्षा करें और लोगों पर यह टिकट का भार न बढ़ाये क्योंकि जो

लोग टिकट खरीदते है उन पर ही यह बोझ बढ जाता है और जो लोग चोरी करते हैं और रेलवे एडमिनिस्ट्रेशन को धोखा देते है वे मजे में रहते है । ऐसा क्यों हो रहा है ?

मैं रेलवे लाइन्स की मांग नही कर रहा हू, लेकिन मैं यही कहता हू कि जो आप की कमजोरियां है उनको आप दुरुस्त कीजिये । तभी रेलवे कर्मचारी आप की बात को मानेंगे । मैं यह भी कहता हू कि कम से कम 30 40 मील तक जो लोग चलते है उन पर आप रहम कीजिये क्योंकि उनको रोजाना कचहरी जाना पडता है और वे रोज पैसे देते है । आप जो यह 20 25 परसेन्ट फेयर बढा रहे है इससे तो आप टिकट लेस ट्रेविल को प्रोत्साहन दे रहे है, लोग दो चार आने पैसे दे कर निकल जायेंगे । उसको आप बचा नही सकेंगे । तो क्यों आप ऐसा करते है ? आप की आमदनी भी न हो, नाहक पब्लिक से गाली मिले और बदनामी हो, तो ऐसा काम आप क्यों करते हैं । आप अपनी सम्पत्ति की रक्षा कीजिये, तो उससे सैकडों करोडों रुपये की बचत हो सकती है ।

चौथी जो बात मैं आपके सामने रखना चाहता हू वह यह है कि आप की एडमिनिस्ट्रेटिव मशीनरी जो है, वह इम्पार्शल बर्ताव नही करती है । इसलिये नीचे के कर्मचारियों में सुधार होना असंभव सा हो जाता है । नीचे का अफसर गलती से अगर किसी कर्मचारी को सजा देता है तो छ छ महीने बीत जाते है लेकिन वह चीज दुरुस्त नही होती है । इस लिए मैं कहता कि इम्पार्शल बर्ताव जो होना चाहिए वह नही हो रहा है । इससे काम नही होता है और लोगों में असंतोष बढता है । वे निष्पक्ष व्यवहार के लिये लडाई करते है और यह चाहते है कि उनके साथ ज्यादती न हो । इन सब बातों से उनके मन में दुर्भावना पैदा होती है ।

आप ने कहा कि हम रेलवे में एक यूनियन को मान्यता देंगे । मैं इसको पसन्द करता हू । इस वक्त दो दो फेडरेशन है । आपके इस डेक्लेयर्ड आबजेक्टिव के बाद भी आप कैटेगरीवाइज यूनियनों के साथ निगोशियट करते है । आप उनके साथ बात करते है और सेटिलमेंट करते है । इस तरह से आप का जो वह डेक्लेयर्ड आबजेक्टिव है वह कहा गया । अगर आप जो लोको स्ट्राइक हुआ था उसमें कटेगरीवाइज यनियन के साथ बात न करते तो यह दशा न होती लेकिन आप ने अपनी ही बात का ध्यान में नही रखा । क्या आप रेलवे में जो सैकडों केटेगरीज है सौ दों यूनियनें है उनसे निगोशियट करेंगे । यानी आप का ऐसा आबजेक्टिव होते हुये भी आप उन से बात करते है और उनके साथ साठ गाठ करते है और इस तरह से आप को दिक्कत होती है आप सर्मी नैसती और रथलेसली ऐसी बात न करते, तो आप को यह इनकविनियेंस नहीं होती और लाग रन में आप का काम ठीक चलता । इसलिये मेरा कहना यह है कि आप केटेगरीवाइज यूनियनों के साथ बात करने की कभी कोशिश न कीजिए ।

श्री भागवत झा आजाद (भागलपुर) अध्यक्ष महोदय, मै समझता हू कि सप्लीमेंटरी बजट का यह समय उन तमाम बातो को समालोचना के लिये नही है, जो कि पिछले वर्ष मैंने की थी या अगले वर्ष मार्च में करूगा । सारी बातें अगर सच कह दी जाए, तो मंत्री महोदय और उनके मंत्रालय का दिल बहुत दुखेगा और मैं समझता हू कि यह अवसर इन सब बातो को कहने का नही है क्योंकि इस स्ट्राइक ने और तमाम अस्त-व्यस्ताओ ने इनको इतना कमजोर कर दिया है कि इन पर दया ही करनी चाहिये बजाय इसके कि कुछ ऊपर से कहा जाय । इस समय इनकी आमदनी कम हो रही है और इनके खर्चे मे वृद्धि हो रही है, इसलिये इन तमाम बातो को देखते हुये मै इनको कुछ सलाह देना चाहता हू

[श्री भागवत झा आजाद]

ताकि अगले कुछ महीनों के बाद जो यह बजट लायेंगे, उसमे यह कुछ सुधार कर सके क्योंकि रेलवे आज हमारे देश मे सबसे बडी सस्था है सार्वजनिक क्षेत्र की जो देश की सबसे बडे भाग की सेवा करती है। दुर्भाग्य की बात यह है कि काम करने वाले जो हमारे बन्धु हैं कुछ कारणो से इतनी बडी हड़ताल मे चले गये जिसका उनको कोई फायदा नही हुआ बल्कि देश का बहुत घाटा और नुकसान हो गया। इसके लिये जवाबदेह कौन है, यह मैं बत्री जी मे पहले भी कह चुका हू। और रेलवे बोर्ड को भी बता चुका हू। अगर इन लोगो ने यह मुहब्बत न दिखाई होती पिछली मार्च मे, लोको स्ट्राइक से इतनी दरियादिली न दिखाई होती तो हर महीने बाद, हर महीने बाद और उसके बाद इतने बडे पैमाने पर स्ट्राइक नही हुई होती। इसलिये हम तो यह कहेंगे कि हमारे कर्मचारी जो है उनके साथ दया दिखाइये, सहानुभूति दिखाइये, उनकी सुविधाओ को देखिये, लेकिन साथ साथ यह भी आवश्यक है कि सहानुभूति सुविधा और उनके साथ सहयोग के नाम पर कही आपकी इन भावनाओ को कमजोरी न समझ लिया जाय, इस बात का ख्याल रखे—आप और आपका रेलवे बोर्ड। कर्मचारियो के कौन खिलाफ है? कौन उनका अहित करना चाहता है? लेकिन आज मैं अपने कुछ बन्धुओ का ध्यान आकृष्ट करना चाहता हू कि आज रेलवे कर्मचारियो के नाम पर जो इन्टरनेशनल ट्रासपोर्ट कान्फ्रेन्स मे स्टाकहोम गये और जाकर के उन्होने जो प्रस्ताव वहा प्रस्तुत किया भारत की जनता के नाम पर, भारत देश के नाम पर, उससे बड़ा अहित कुछ हो सकता है? स्टाकहोम के उस अन्तर्राष्ट्रीय ट्रासपोर्ट कान्फ्रेरेन्स मे जार्ज फर्नांडीज ने ऐसा प्रस्ताव रखा इस देश के लिये जो मैं पढ़ नही सकता हूं, उसको पढ़ना मैं अपमान समझता हू देश का। अगर वह यह कहें कि देश मजदूर के हित में नही है, तो मैं समझ सकता हू गो मैं ऐसा नही समझता, मैं समझता हू हित मे है, लेकिन अगर वह इतना न कहे तो उनकी लीडरी चली जाएगी। लेकिन सम्पूर्ण देश का उन्होने उस अन्तर्राष्ट्रीय कान्फ्रेन्स मे अपमान किया।

श्री राजदेव सिंह (महाराजगज) . सरकार का किया, देश का नही किया?

श्री भागवत झा आजाद प्रस्ताव पढ़िये आप। अगर आप भारतीय है और आपके मन मे देश के प्रति दर्द और ईमानदारी है तो आपका शर शर्म से झुक जायेगा। कोई भी भारतीय उस प्रस्ताव को पढ़ कर अपना सिर शर्म से झुका लेगा। मैं आप से कहूगा कि आप ऐसी यूनियन को मत बर्दाश्त कीजिये, ऐसी यूनियन कायम रहने दीजिये जो यूनियन देश के बाहर जा कर हमारे देश की प्रतिष्ठा का ख्याल नही रखती है।

कठिनाइया बहुत है, । मै स्वय कहता हू, मैंने माननीय रेल मत्री और उनके मत्रालय की जो समालोचना की है वह किसी विरोधी दल से कम नही है, लेकिन मैं अपना इसमे अपमान समझता हू कि स्टाकहोम की कान्फ्रेन्स मे जा कर अपने देश के प्रति और जनता के प्रति इस प्रकार की भावनाये प्रकट की जाये। प्रदर्शित की जाये। (व्यवधान)

अगर ये माननीय सदस्य अपना मुह बन्द कर ले और कान खोल ले तो इनकी समझ मे आ जायेगा। लेकिन दिक्कत यह है कि ये कान खोलते नही हैं और मुह खुला रखते है। इसलिये इनकी समझ मे नही आता है।

मै यह कहूगा कि माननीय ललित नारायण मिश्र ने एक अच्छे सिद्धान्त का प्रतिपादन किया जो मैंने पिछली बार कहा था, कई समालोचनाओं के बीच कहा था और आज फिर दोहराता हू कि रेल मंत्री ने पिछड़े भागों में जहां राजस्व की कमी के नाम पर रेल लाइनें नहीं ले जाई जा रही थीं, वहां

मंत्री जी चूंकि जनता के बीच की भावनाओं को समझते हैं, उन्होंने कहा कि हम रेल लाइन ले आयेंगे । आज रेलवे बोर्ड उदाहरण निकाल दे, शायद दो तीन ऐसी हैं, मैंने पब्लिक एकाउन्टस कमेटी मे देखा था, वरना जहां जहा आपके रेलवे विभाग ने कहा था कि रेल लाइन नही खोलनी चाहिये वहा लाइन खोली गई, जहा रजस्व मे कमी की बात कही गई थी, पोलिटिकल डेसीशन पर वहा लाइन खोली गई और वह लाभप्रद हो गई । इतने बडे देश मे कहते है कि हिमाचल प्रदेश मे रेलवे लाइन न ले जायी जाय, भागलपुर मन्दार हिल रेलवे लाइन को दुमका से रामपुरहाट होकर वैद्यनाथ धाम देवघर न ले जाया जाय, क्यो ? क्योंकि राजस्व को आय नही होगी। इससे बड़ी मूर्खता और कोई नही हो सकती । अगर रेलवे बोर्ड और रेल मंत्रालय मे ऐसी ही बुद्धि वाले लोग बैठे है तो आप उनकी बुद्धि के परिमार्जन का कनास चलाइये, जरा उनकी ब्रेन वाशिंग करवाइये । हिन्दुस्तान मे जहा जहा भी पिछड़े भाग मे रेल लाइन गई है वहा शुरू मे चाहे घाटा दिखाई पड़ा हो, लेकिन अन्त मे फायदा हो रहा है । ऐसी एक नहीं अनेक लाइने हैं । इस सिद्धान्त का आपका मंत्रालय विरोध करता है तो वह बताइये हमको जहा कि लाइन खोली गई और हानि ही हानि रह गई । इसलिये मेरा कहना है कि इन पिछडे भागो के लिये आपने पिछली बार जो घोषणाये की हैं उनको राजस्व की कमी के नाम पर आप छोडिये मत । जैसे हमारे मित्र ने पंजाब हरयाणा और हिमाचल प्रदेश की बात कही, ऐसी ही मे कह रहा हू भागलपुर मन्दार हिल से दुमका होते हुये रामपुर हाट हो कर वैद्यनाथ धाम देवघर तक लाइन ले जाने के लिए । अगर आप राजस्व मे वृद्धि चाहते है तो आपको यह देखना पडेगा कि किन भागों मे नई ट्रेनें और नई लाइने ले जाये । आप कहेंगे कि भागवत , तुम तो बार बार वही पुरानी बात कहते हो, लेकिन और हम कहें क्या ? आपको और आपके विभाग को बिना बार बार समझाये समझ में आता ही नहीं । आपको याद होगा कि जब हम बिहार बंगाल और आसाम के मेम्बरों ने कहा था कि फरक्का ब्रिज के खुलने के बाद नई लाइन आसाम को जोड़ने के लिये फरक्का होकर ले जायी जाय । आप के रेल मंत्रालय ने आसाम मेल को डाइवर्ट किया । लेकिन चार दिन के अन्दर जैसे उनको कोई इलहाम आया, खुदा की आवाज सुनाई पड़ी, बुद्धि उनकी परिमार्जित हो गई और एक दिन सुबह उठकर कहा कि यह गलत है । फरक्का ब्रिज के खुलने से आज आसाम जाने का सबसे सुगम रास्ता कम से कम समय में पूरा होने वाला खुल गया । अब कहते है कि चूंकि लाइन बड़ी है, फेयर अधिक लगेगा । तो आपको क्या ? फेयर देंगे हम या आप देंगे ? आपको याद होगा इनको बार बार धमकाने के बाद, इनके हाथियों को बहुत कुछ पिछली बार कहने के बाद, अब गोहाटी मेल चलने लगी है । इस मेल से अधिक राजस्व आता है । आसाम के लोग वहां पर चार घंटे पहले पहुच जाते है जब कि टाइम टेबुल में इन्होने गडबड कर रखी है, अधिक समय रख दिया है दो दो स्टेशनो के बीच मे । हमारा आपसे निवेदन है कि आप इन ट्रेनो को रोज चलाइये, अगर आपको हानि हो तो ट्रेन बन्द कर दीजिये । नही तो गौहाटी मेल आप रोज चलाइये अगर आप ज्यादा राजस्व चाहते है तो और मेरा निवेदन है कि 2 अक्तूबर से आप एक दिन और बृहस्पतिवार को भी इस ट्रेन को चलाइये ।

पिछले दस पन्द्रह वर्षों मे मैंने अपने क्षेत्र मे कम से कम पाच सात हाल्ट खुलवाये । हर हाल्ट के लिए बीसों बार इनके रेलवे मंत्रालय ने लिखा कि सम्भव नही है, नाट फीजिबल, नाट पोसिबल, नाट वर्केबल, ढूढ ढूढ कर शब्द निकाले । लेकिन आज वही हाल्ट चल रहे हैं जनता की भलाई के लिये उपयोगी है और ऐकोन्यू प्वाइंट आफ व्यू से आर्थि-

[श्री भागवत झा आजाद]

टेबल भी है। तो क्यो ऐसा करते है आप ? अम्बापाली हाल्ट बनाया गया था मेरे प्रेशर के बाद। अब कहते है कि नई ट्रेन हाल्ट करो तो कहते हैं ट्रेन खडी नही होगी। क्या चाहते है ? बिहार मे स्वय मूवमेट चल रहा है हम उसमे जोड़ना नही चाहते है। पिछली बार मैने कहा था आपसे कि हिन्दुस्तान के उस भाग मे रेल का चक्का जाम हो जायेगा अगर गोहाटी मेल नही चलेगी। वही चली। हम चक्का जाम नही करना चाहते है। मगर मेरी बात सुनिये। म यह कह रहा ह कि उस भाग मे इसलिये उन्नति नही हो पा रही है और तब तक नही होगी जब तक क्यूल और साहबगज के बीच दोहरी लाइन नही बिछ जायेगी। कहते हैं कि 16 करोड का इसमे खर्च है। तो मै आपसे एक बात पूछता हू कि क्या हिन्तुस्तान के किसी भाग मे आज दोहरी लाइन बिछ रही है या नही ? अगर हिन्दुस्तान के सभी भागो मे दोहरी लाइन बिछना बन्द हो गया है, नई ट्रेनो का चलना बन्द हो गया है तो इस भाग की चार और ट्रेने बन्द कर दीजिये। लेकिन अगर हिन्दुस्तान के और भागा मे ला।इन दोहरी हो रही है तो क्यूल और साहबगज के बीच मे भी दोहरी ला।इन होनी चा।हिये इसलिये कि आजादी के पूर्व और आजादी के बाद उस भाग की जनता ने और जनता के साथ मे त्याग और बलिदान किया है, उसकी कीमत उसका मिलनी चाहिये। इसलिये यह आप कीजिये। आप कहते है कि चूकि पैसे कम है इसलिये नही करेगे। तो आपने उसको बचाने के लिये क्या किया ? मै आपके उस प्रयत्न की सराहना करता हू कि आपने कहा कि आप अपने जनरल वर्किंग एक्सपेंसेज मे पाच परसेट कमी करेगे जो लगभग 50 या 60 करोड आता है। कीजिये हिम्मत के साथ। सम्भावना है आप के विभाग मे खर्च मे कमी करने की और इसका डेसीशन उन पर मत छोड़िये, उनसे आकडे मत लीजिये। पोलिटिकल डेशीशन लीजिये। आप कहिये कि इतना आपको कम करना होगा। सैलून बन्द हो जाय, और इस तरह के काम बन्द हो जाय। इस सिलसिले मे जो भी आपने किया बिलकुल सही काम किया। आप कहते हैं कि पैसेजर्स मे कमी हो गई है तो मै आपसे पूछता हू कि एक दिन भी एक ऐसी ट्रेन नही दिखायी पड़ती जो कि खाली जा रही हो, जिसमे भीड़ खडी न चलती हो, फिर पैसा क्यो कम हो जाता है ? सारी ट्रेने भरी हुई है लेकिन पैसे मे कमी क्यो आती है ? तो जरा यह सोचिये कि उसमे चलने वाले आपके बाबू और भाई लाग जा ह वे क्या करते हैं ? लीक कही है या नही ? मै मत्री जी से कहता हू कि लीक नही है इतना बडा होल है हर जगह मे हर ट्रेन मे। उसका बन्द कीजिये, तब आपको सेविंग मिलेगी। देखिये क्या होता है। एक दिन किसी को भेजिये। आगरा चले जाइये तूफान मे देखिये कि आपके रक्षक कितने बडे भक्षक है। इसलिये अगर आप अपने राजस्व को बढाना चाहते है तो इन सुरागो को बन्द कीजिये।

प्राटेक्शन फोर्स को मै पिलफरेज फोर्स कहता हू। आप देखिये मुगलसराय यार्ड मे रोज चोरी हो रही है। मगर आप कुछ नही कर पाते। मुगलसराय, गरहरा मे रोज चोरिया हो रही ह। जो वहा के प्रोटेक्शन फोर्स वाले है आप उनको कहिये कि तुम्हारी नौकरी इस चोरी के न होने पर है। बोलो कितना और स्टाफ चाहिये। उसके बाद अगर चोरी होगी तो तुम्हारी नौकरी जायेगी। आप उनको जिम्मेदार ठराइये। दुर्भाग्य यह है कि इस देश मे ईमानदार काम करने वालो को इनाम की आशा नही है और बेईम.नी करने वालो को कोई सजा का डर नही है। इसलिये यह स्थिति है। आप अपने एडमिनिस्ट्रेशन मे सुधार कीजिये। बजाये मुगलसराय के पिलफरेज फोर्स को ठीक करने के आप वहा से कम्प्यूटर को उठा कर वाराणसी ले जा रहे है। क्यो ? जितना आपका स्टाफ है आप उन्ही को

सुधारिये, जो आप चाहते भी हैं, तो काम अच्छी तरह से चल सकता है। लेट चलने वाली ट्रेनो की क्या आपने कल्पना की है कि कितनी सोशल कौस्ट पड रही है देश पर ? हम अगर स्टेशन पर फोन करते है कि ट्रेन कितनी लेट है तो कहते है कि आधा घटा, जब कि तीन घटे लेट हो ती है। तो एक बार ही बता दे कि ट्रेन तीन घटे लेट है। क्यो लोग स्टेशन पर पहले से जाकर परेशान हो। कौन सा आपके स्टेशन पर लोगो को आराम मिलता है ।

अगर आप रेलवे मे सुधार करना चाहते है तो जिन चार, पाच बाता पर मैने जोर दिया है उन पर गम्भीरता से विचार क , और गौहाटी मेल रोज चलाया जाय । मदार हिल रेलवे को बढा दीजिये, क्यूल-भागलपुर की लाइन का दोहरा कीजिये। हम आशा करते ह आग आने वाले महीनो मे आप हमारी भावनाओ का आदर करेगे, हम आपका साथ देगे। आप हमारी बातो पर विचार करके अमल करेगे ता हम आपके कृतज्ञ होगे ।

SHRIMATI PARVATHI KRISHNAN (Coimbatore): The Railway Minister has come before the House with a supplementary budget asking for Rs. 56 44 crores Of course in the beginning of his speech he sang his usual hymn in which he is always joined by people like Mr . Bhagwat Jha Azad and so on, putting the blame on the workers and then coming to us with a supplementary budget. What is the fall in earnings due to? Is it due to the strike? Time and again on the floor of the House we have pointed out the defecting functioning of the Railways. What has he done about it? Let me draw his attention to one proposition that he accepted. When the Railway Budget was being discussed and the Railway strike was being discussed both in this House and in the Rajya Sabha what did he say when it was pointed out to him that the social burdens that are there on the railways to the tune of some crores are totally unjustified and they should be re-examined and such things as bamboos for Birlas—I fall into alliteration—need not be carried below the cost of transport The Public Accounts Committee of Parliament has also pointed this out and the Minister stated on 3-5-1974 in the Rajya Sabha. "I will ask the Member (Finance) to go into it and if necessary I will appoint a subcommittee with a senior member of Parliament who has an aptitude for the subject " maybe, Bhagwat Jha Azad was trying to qualify for that, I do not know— ..". and wants to be associated with it. I will have no objection to that. We have no sympathy for big business houses; if we could get money out of them we will be too glad to have it" Yet, he is today coming before the House to get more money out of the third class passengers

AN HON MEMBER: Second class.

SHRIMATI PARVATHI KRISHNAN: I am sorry; second class passengers I must say they are very vigilant when it comes to the class question. I wish they are equally viguant when it comes to victimisation. Before asking for this blanket increase in fares and freights charges he should tell us about the transportation below cost? What about the social burdens? He does not say anything about them. Before asking us to vote the increased fares and freight rates, it is only fair to Parliament that you put all your cards on the Table How can you do it when the cards are not in your hands? It was time both the Minister and the Deputy Minister rose above the PRO's and the Railway Board. Time and again they are misleading the House by giving wrong information Once our Deputy Minister was graceful enough to say that he was wrong. On 23rd July, Mr L N. Mishra in reply to a question about the removal from service of motormen in Central Railway said "none". Yet, on as late as

[Shrimati Parvathi Krishnan]

5th August, 5 motormen of the Central Railway were not taken back. Whether it is victimisation or late running of trains, we are being constantly given information which we have to point out are wrong. Why should the ministers come here, maybe well-meaning, maybe not, and give us assurances which they are totally incapable of seeing are implemented by the administration? We have repeatedly asked for a policy decision on victimisation for the simple reason that even the Prime Minister has said that Government does not want to adopt an attitude of humiliating the railway workers and its attitude is to see that proper justice is done to them. But still thousands of workers are still waiting with their appeals not even examined. A whole lot of workers have been reinstated and reverted. In only one case which was brought up here, an assurance was given. What about extending that assurance to all similar cases? A number of workers have been reinstated in Tambaram and in the NE Railway and in other railways who have been reinstated and reverted. When dismissed people are taken back, what about the break in service? What about the pay for the intervening period? These questions have to be clarified. If you want the railways to be run as they should be run, that is possible only by getting the cooperation of the workers, not by humiliating them, not by General Managers calling them and saying, "Are you married? Have you got a wife? How many children have you? Four children? Let your wife and children, each one of them, hit you wish a chappal once. Then I will go into your appeal". This is the kind of thing which is happening, which I have already brought to the notice of the minister.

Then there are complaints about late running of trains. Mr Ramavatar Shastri described how he travelled from Gauhati to Delhi without fan or light. Your trains are being run by loyal workers who have been given monetary reward. Are they capable of running the trains when their colleagues are starving at a time when prices are rising? The strike was called off on 28th May. Thousands of dismissed workers are waiting with their appeals. In Southern Railway, cases have not moved. The other day some Members of Parliament were travelling in the train from Delhi to Lucknow. There were no lights or fans in the train. When I asked the conductor he said that they will be there half an hour before the train starts. There were fifteen minutes for the train to depart and still no signs of light or fan. My colleague from Rajya Sabha, Shri Ahmed, said that he will not allow the train to move unless the lights and fans were set right. Of course, they were set right. The passengers in the second class were saying that it is only because of these Members of Parliament that they could also get fan and light. When your officers were manning the trains they were running like this.

Do not forget that you are sitting on a snake-pit. It is on a time bomb that you are sitting which may explode at any time.

Shri Bhagwat Jha Azad referred to new lines. It is said that they are not being opened because they would be uneconomic. But there are some lines which are uneconomic and you are still running them for prestige. Some of the lines which you claim are uneconomic are running to 94 per cent of their capacity. Then where does the ill lie? Shri Qureshi said that the wagon turnover and maintenance stock are not sufficient. I know that one of their arguments is that the productivity is low because many wagons are not moved. But, apart from that, have you bothered to go into the question why sub-standard wagons are being accepted by your railway authorities? How many sub-standard wagons have been accepted by the railways from private manufacturers? Have you gone into that question? For every single illness do not put the

[Shrimati Parvathi Krishnan]

blame on the door of the working staff who are the red herring for Shri Bhagwat Jha Azad. Shri A. P. Sharma, Shri L. N. Mishra and Shri Shafi Qureshi... (*Interruptions*) Shri George Fernandez is a nightmare for them. I challenge you that the railways are in the present position not because of the workers but because it is a cesspool of corruption of the bureaucrats of the railways.

Year after year you come again and again for extra money by increasing the fares and freights. Yet, the juggernaut of the Railway Ministry remains untouched by that. Therefore, I would request the Minister, I would demand from the Minister, I should say, because I have got the protection of the House, that today, here and now a policy decision be taken that all the victimised railway workers be taken back, the existing procedure where selective reinstatement is taking place, where reversions are taking place, where room is bing given for humilitation. that should end forthwith and that all those who have been taken back do not suffer from break in service.

So far as the working of the railways and uneconomic railway lines are concerned, let a committee be appointed to examine this. When there were negotiations with Shri Qureshi on this point the Railway Board issued a press note through the PIB saying that the representatives of the trade unions wanted that the railways should not bear the social burdens and that they should be passed on to the public. You allow them to slander us in this way. You allow the Railway Board to slander the working class and the representatives of the working class. In fact ,this is the only point where Shri A. P. Sharma and myself agree. We did not refer only to the social burdens of the railways but in fact we wanted to go into the entire financial working of the railways. If a parliamentary committee goes into the entire working of the railways from top to bottom, there can very well be another scandal like the licence scandal about the placing of orders for wagons, the use of wagons as warehouses by hoarders of grains and other essential commodities.

All that we ask of the Railway Minister is to be careful, to be on guard against his administration, against those who are seeking to rob and discredit this major industry of the country And you can only succeed if a democratic industrial relations policy comes into the Railways and the victimised workers are back again and there is smooth industrial peace in the Railways .

श्री रणबहादुर सिंह (सिधी) अध्यक्ष जी, मैं रेल मंत्री महोदय से केवल एक बात पर अनुकरण की अपेक्षा कर के कुछ बातें उन के सामने रखना चाहता हू ।

कुछ दिन पहले जब हम सब अपने क्षेत्र के लोगो की आकाक्षाओ के आधार पर रेल मंत्री महोदय के पास इस बात को ले कर आए थे कि मध्य प्रदेश के उत्तरी पूर्वी कोने मे 7 जिले ऐसे हैं जिन पर आज तक भी कोई रेल सेवा नही है, तो रेल मंत्री महोदय ने बडी कृपा कर के हम लोगो से कहा था कि हम उन क्षेत्रो का सर्वेक्षण कराएगे और सर्वेक्षण मे जो तथ्य सामने आएगें, उन के आधार पर कुछ निर्णय हो सकता है । अभी करीब तीन, चार महीने पूर्व जब पुन. मै ने एक प्रश्न इस सम्बन्ध मे पूछा था, तो रेल मंत्री महोदय की ओरसे मुझे यह उत्तर मिला कि सर्वेक्षण से उस क्षेत्र मे रेल लाइन डालने के लिए जो तथ्य सामने आए है, वे आर्थिक दृष्टि से इस बात के लिए रेल मंत्रालय को सहायता नही दे रहे है कि वहा पर रेल लाइन डाली जाए ।

अध्यक्ष महोदय, अपने क्षेत्र मे जाने से पहले मैं रेल मंत्री जी से केवल इतना ही

[श्री रणबहादुर सिंह]

अनुरोध करना चाहता हू कि अपने क्षेत्र से जा कर मै अपने लोगो को क्या बताऊ, उन की जो आकाक्षा है कि रेल सेवा हमे मिलनी चाहिए, उस के लिए उन से क्या कहू । अध्यक्ष महोदय, वहा पर खुजराहो जैसा स्थान है जहा पर रोज हजारो लोग जाते है । इस के आसपास वहा पर लाइमस्टोन के इतने बडे रिजर्व्स है कि शायद इतने बड रिजर्व्स देश मे और कही नही है । साथ ही साथ, अध्यक्ष महोदय, रेल मत्री जी को यह भी पता है कि अभी अभी पट्रोलियम मत्रालय ने एक ऐसा आदेश निकाला है कि बस सेवा 500 मील से अधिक पर नही जा सकेगी । हमारे क्षेत्र मे सारा यातायात केवल सडको पर आधारित है, केवल बसो के ऊपर लोग वहां पर यात्रा करते है और अब जबकि पेट्रोलियम मत्रालय की ओर से इस तरह के आदेश चले जाएगे तो वहा पर यातायात सम्भवत अब बिल्कुल ठप्प होने वाला है । तो मै यह पूछना चाहता हू कि अपने क्षेत्र के लोगो को मै क्या बताऊ क्या मैं उन से यह जा कर कह दू कि आज भी हमारी रेल सेवाए पुराने कानून पर आधारित है, वह कानून जो कि सौ वर्ष पहले बना था और जो केवल शासकीय सुविधा के लिए बना होगा, जनता की आकाक्षाओ को मूर्तिमान करने के लिए वह कभी नही बना होगा और उसी कानून के आधार पर सम्भवत सर्वेक्षण भी किया होगा । तो मेरे क्षेत्र के लोग सम्भवत मुझ से यह पूछ सकते है कि यदि वह कानून आज भी रेल के सर्वेक्षण के लिए मार्ग-निर्देशक है, तो हम किस दिन की राह देखे जबकि मेरे हमे रेल सेवाए उपलब्ध होगी । क्षेत्र के लोग क्या करे कि रेल सेवाए उन्हे मिल जाए । वहा पर कौन सी बात कमी उपस्थित की जाए ताकि रेल की सेवा उस क्षेत्र को उपलब्ध हो सके । मै केवल मत्री महोदय से इतना ही मार्गदर्शन चाहता हू । यदि आर्थिक दृष्टि से लाभदायक होने पर भी वहा रेल सेवा प्रदान करना सम्भव नही है तो रेल सेवा की सुविधा उपलब्ध हो सके, इसके लिए क्या किया जा सकता है ? क्या वहा के लोग धरना दे उत्पात मचाएं अथवा वहा पर कोई बाहर से परिस्थिति तैयार हो और ला एड आर्डर की सिचुएशन क्रियट हो तभी रेल सेवाए वहां उपलब्ध आप कर सकेंगे ? वहा सब चीजे उपलब्ध है । खजुराहो है, वहा पर लाइम स्टोन के भडार है, बाणसागर बाध बनाया जा रहा है । अब आपको इनके सिवा और क्या चाहिये । भोरा साहब कहते हैं कि पैसे की कमी है । मैं कहना चाहता हू कि आप बताए कि पैसा किन किन कामो के रास्ते मे अडचन बना है ? जो चीज तय कर ली जाती है उसके लिए पैसा आ ही जाता है । आप आश्वासन दे दे कि जब पैसा आ जाएगा तभी रेलवे बन जाएगी ।

मै मत्री महोदय के समक्ष एक और दिक्कत रखना चाहता हू । वह दिक्कत उस क्षेत्र से सम्बधित है यहा रेलवे लाइन और रेल जहा चलती है । मै न्यू कटनी मोरवा लाइन की बात कह रहा हू । उस लाइन पर रोज दो तीन कोयले की ट्रेन चलती है । वहा पर सडक एक भी नही है । बरसात से किसी व्यक्ति को एक जगह से दूसरी जगह जाना होता है तो उसको तैरना पडता है, अपने कपड सिर पर बाध कर नाला को पार करना पडता है । वहा पर ट्रेन चलती है लेकिन उस पर लोगो को चढने की इजाजत नही है, उस मे केवल कोयला जाता है । उस कोयले की ट्रेन मे क्या यह सम्भव नही है कि एक कम्पोजिट बोगी लगा दी जाए जिस से फर्स्ट और सैकिड क्लास का एक ही डिब्बा हो, और फर्स्ट नही तो केवल सैकिड क्लास का हो ? वहा पर लोगो को इस परिस्थिति मे क्यो डाला जाता है नालो पर वे अपनी जान को जोखिम मे उठा तर तैर कर एक स्थान से दूसरे स्थान पर जाए ।

अपने क्षेत्र के लोगो की जो आकाक्षायें हैं उनको मैंने महोदय मत्री के सामने बार

बार रखा है । मैं उन से केवल यह चाहता हूं कि मुझे वह कोई ऐसी बात बता दे ताकि सत्र समाप्त होने के बाद जब मैं अपने क्षेत्र में जाऊं तो लोगों को कह सकूं कि रेल मन्त्रालय सौ वर्ष पुरानी साम्राज्यवादी नीतियों पर आज स्वतंत्र भारत में नहीं चल रहा है बल्कि जन आकांक्षाओं की पूर्ति करने में उसका जो दृष्टिकोण है वह सहानुभूतिपूर्ण है और वहां लोगों की समस्याओं को सुलझाने के लिए तत्पर है ।

SHRI N. K. SANGHI (Jalore): I rise to support the Supplementary Demands for Gants for Railways for the year 1974-75. In fact this is a second supplementary budget brought forward by the Railway Minister in the same year and this Budget has tried to raise the revenues to the extent of Rs. 140 crores raising fares and freights by 36 per cent. in the whole year.

I have gone through the speech of the Railway Minister which was followed by the Supplementary Demands. I would not call it a Supplementary Demands in the strict sense of the term, I would call it a second Supplementary Budget.

The question is that it is very dismal picture of its finances that the Railways have completely failed to discharge its duty towards the nation. The railway finances are like a mirror of the nation and this Supplementary Budget gives us a feeling that this mirror has blurred.

The resources of the railways have gone down to a low level now, especially when we have been told that the freight and originating freight traffic and passenger traffic have gone down to a low level in the last three months.

What is the situation? The railways are expected during 1973-74 to carry 192 million tonnes. But it only carried 185 million tonnes. There was an assurance that they would carry 25 million tonnes extra than the 1973-74 targets and that there will thus be an originating freight traffic of 217 million tonnes, that is, 54 million tonnes per quarter. But it could succeed only to the extent of carrying 42 million tonnes which means a shortfall of 12 million tonnes which in terms of freight amounts to Rs. 92.45 crores of deficit.

12-45 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Regarding passenger traffic, we have lost 150 million travellers in three months. That is to say, 150 milion people travelled less in three months. Even if we reduce the strike period, we have lost 40 million travelling passengers. I do not know who fixes the targets, whether it is the Railway Ministry or the Planning Commission. I want to know what steps are being taken to achieve the targets in the coming nine months of the year. It is advisable that the targets have to be kept as per the previous year's actual performance, rather than make imaginary targets and make all the deficit revenues. The workers of the Railways are completely demoralised and disgruntled and the efficiency has gone down to the lowest ebb. We have raised a total revenue of Rs. 276 crores in the two budgets, Rs. 136 crores in the first Budget and Rs. 140 crores in the Supplementary Demands for Grants for the whole year. We also heard from the Minister on Supplementary Grants since Supplementary Grants are not followed by speeches, we consider this also as Second Budget. In the Budget speech we have been told that 'The common man has been spared by not raising freight on foodgrains, edible oil, milk and vegetables'. But the point is, has the common man been helped really? At one time the prices of these essential commodities were very low and a small increase in the price would have made the difference in the end price. But now the price of the essential commodities is sky-high. Now the position is, a small increase in the freight of these goods would not increase the price of these goods.

[Shri N. K. Sanghi]

Today the wheat procurement price is Rs. 105 and the sale price is Rs. 135 a quintal. And, even if you want to raise Rs. 2 for a bag, the wagon would have got you extra, Rs. 500 to Rs. 600 worth of freight. This is my point. This would have given you larger revenues without increasing the prices of the essential commodities.

The Finance Minister levied excise duty on certain essential raw materials like copper, DMT, Caprolactum. Though these were essential items, he said he was mopping up the extra profits here. If he can levy excise duties on these items (which are essential for production), why a small levy could not be raised on the essential commodities in respect of rail transport, so that the Budget is balanced, rather than raising freights with the high-rated and other goods traffic and fares to the poor passengers? In fact, the law of diminishing returns has started operating. That is to say, the more freight and fares you raise, the lesser traffic of goods and passengers you will get. This is the crux of the matter, here.

When you have raised these freights and fares, you have not mentioned as to what steps you have taken to improve the efficiency of the Railways, to reduce the inefficiency and infructuous expenditure.

I would like to refer to the Seventy-ninth Report of the P.A.C. This is at page 9. We have been told there that there was an increase of 21 per cent in operating kilo-metre cost beween 1967-68 and 1970-71. We should have been told as to what is the percentage of increase in the operating kilo-metre cost between the years 1970-71 to 1973-74. Because your operating cost is increasing gallopingly, this is where you have to have a sort of effective check to see that your operating cost is less.

In the Budget speech you have increased your air-condition and First Class fares and it looks that there is a feeling that in socialism there is no limit to increasing the fares of first class and air-conditioned class. The reasoning of air condition charges to be made equal to air fare has no justification. If you want to have real socialism, then, you must provide seats and guarantee accommodation for the last class—second class now—of travelling public and only when they have been provided, then only, you may think of providing first class coaches and only when you have sufficient coaches to take care of these passengers, you can provide air-conditioned accommodation. In fact, it would be a better to remove these air conditioned coaches rather than keep them and increase the fares which are now higher than air fare. Now a stage has come when the Railways have come to the lowest level of their efficiency.

Now, Sir, I would like to take up the matter concerning the efficiency in coal economy. When Shri Nandaji was the Railway Minister he brought a ten point efficiency programme. He wanted to save coal and diesel oil and wanted to bring the trains to the Stations punctually. What has happened to it?

I would like to quote a line from the Seventyninth Report of the Public Accounts Committee which has come to us only in March, 1973. This is what they say on page 26 of this report. I quote:—

> "The Committee are concerned over the unprecedanted increase in the missing and unconnected coal wagons on the Railways during 1970-71."

In the 79th PAC Report we are told that the value of missing coal amounts to Rs. 29.57 crores. The report further says in the next page:

> "The Railways have paid compensation on missing private coal wagons to the tune of Rs. 90.11 lakhs during 1970-71. The Committee expect that there ought to be a thorough check of the position in this regard."

This is the position. And you are losing coal of the value of Rs. 29 to 30 crores belonging to the railways and paying 90 lakhs by way of compensation to the private coal wagons. What have you done to minimise this loss at least in the current year? We would expect that in the current year the loss should be very much reduced. What is the loss during the current year? The Seventyninth Report of the P. A. C. again says:

"The percentage of missing coal wagons in relation to the total loco coal loading which was 4.2 in 1965-66 jumped to 7.1 in the subsequent year and further increased to 8.8 in 1970-71."

This is the percentage of missing coal wagons. It is a very high percentage. How are you going to effect improvements in this regard? Besides this, we have no statistics for the current year and for the previous year to show as to which way the Railway Administration is going.

As regards the quality of coal, year after year, it has gone down in quality. As per rules and regulations, about 5 per cent of the coal loaded from the colliery should be checked by the railways. But, we find from the report of the Public Accounts Committee that only 2 per cent of the wagons of coal has been checked. The quality of coal loaded is very inferior. Even after nationalisation, we have lost the coal-content. We find that as high as 23 per cent of the wagons were found to be below specification. This percentage rose upto 30 per cent in 1969-70 and still further upto 50 per cent in 1970-71. During 1971-72, the percentage of wagons found sub-grade was as high as 100 per cent on Eastern and North-east Frontier Railways.

Since you have rung the Bell I would like to suggest points only. I now come to wagon turnround. The wagon turnround is defined as the time interval which elapses between two successive utilisation (Loadings) of a wagon. I do not know how much time you will take to improve your wagon turnround. There has been a deterioration in wagon turnround. I do not know how much time you are going to take to improve this position. We should be told about the third terminal for Delhi. Is it Barar, Nazamuddin, Safdarjung or East Patel Nagar. In PAC Report there is a reference about the hiring of costly computers purchased from the Multi-national Corporation (IBM). Its C & F cost comes to Rs. 6.14 lakhs. Hire charges paid upto June 1972 came to Rs. 50.17 lakhs. But for devaluation of rupee in 1966, the hire charges would have been Rs. 30.64 lakhs. The hire charges were mentioned in dollars and not in rupees who was responsible for this sort of working? These are some of the matters which have been brought to the notice of the Ministry of Railways. We would like to know what has been done by them after the report of the P. A. C.? Unless we give attention to the importance of public transport, I do not think by merely raising these freights and fares you would be able to get finances for the railways.

MR. DEPUTY SPEAKER: Like great King Canute of old I will not try to command the waves to be still, I will also not try to command time to stand still but I would like the House to help me as to how to conduct and dispose of the business. I was told that we are to take up the motion of Shri Vajpayee at 2.30 P.M. after disposing of these railway demands and Appropriation Bill. We have another Bill to which we have allowed one hour.

My good friend, the Minister for Parliamentary Affairs has sent me names of only 40 more Members from

[Mr. Deputy Speaker]

his Party to speak and I find that from among the Opposition there are eight more hon. Members who want to speak. On top of it there are four or five other hon. Members and redoubtable Members—I emphasise the word 'redoubtable'—who have given certain points to speak on the Appropriation Bill and many of them are very skilled in rules and procedures. You tell me how should I manage this to enable us to give one hour for the other Bill and to take up motion of Shri Vajpayee at 2.30 P.M.

AN HON MEMBER: Let us extend the House for one more day.

THE MINISTER FOR PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): No, No. We will finish it today.

13 hrs.

SHRI P. M. MEHTA (Bhavnagar). Mr. Deputy-Speaker, Sir, the railways is the biggest factor to keep the prices high and this increase in fares and frieghts will push the prices further up. There is no justification to increase the fares in the third class and the frieght in the essential commodities. I will come to it later.

I would like to make one important point, that is, regarding the construction of Bhavnagar-Tarapur railway line. This proposal is pending before the Railway Ministry and the Railway Board since long. This is a long pending proposition made by Government of Gujarat. I would urge the Railway Minister to attend to this thing. Sir, I would request you to pull up the Minister and ask him to hear what the Member says. I am making the point that there is a long pending proposal regarding the construction of Bhavnagar-Tarapur broad gauge railway line. Sir, all the Governments in Gujarate, Dr. Jivraj Mehta's Government, late Balwantrai Mehta's Government, Shri Hitendra Desai's Government, Shri Ganshyam Oza's Government and the Administration under the President's Rule including the former Governor Shri Shriman Narayan and the present Governor Shri Viswanathan, have given top priority to this. But, Sir, Railways are not coming forward to implement this important project. Now, Gujarat is in the grip of drought and thousands of labourers, educated youth, uneducated youth and farmers are without any work today in Gujarat Sir, if this project is implemented, it will create a good deal of employment. Sir, this House will recall that during the last drought in Maharashtra, the Prime Minister announced the decision of the Government to take up the construction of four railway lines in Maharashtra for the relief of the drought stricken people. Why not the same to Gujarat? Sir, recently, the Governor has given a proposal for the implementation of this project, Bhavnagar-Tarapur broad gauge line, for the drought-stricken areas It will not only give relief to the drought stricken area, but, since it is a work of a permanent nature, will also boost the economy of this backward area of Bhavnagar as well as other districts of Gujarat. It is also economically viable and remunerative. Not only that, Sir, Government of Gujarat has given an assurance to make good the deficit if any deficit occurs at the end of the sixth year. This assurance has been given and Gujarat Government is also ready to give the land on the same terms on which Government of Maharashtra has given the land. These are the assurances given by the Government of Gujarat. Therefore, Railways should implement this long-pending proposal, construction of Bhavnagar-Tarapur railway line. Sir, as I mentioned, all the Governments in Gujarat, right from the beginning have recommended this and have given top priority to this.

Now, Sir, regarding the third class fares. This is a terrific increase. Sir, I would request the Railway Minister Mr. L. N. Mishra to hear me.

AN HON. MEMBER: He is hearing.

SHRI P. M. MEHTA: Are you reading or hearing?

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): I am hearing.

SHRI P. M. MEHTA: You are reading. You are not hearing.

SHRI L. N. MISHRA: You go on. I am hearing you allright

SHRI P. M. MEHTA: How can you read and hear, at the same time?

Sir, my friend, Mr. Dandavate says that he is able to do many things at a time.

MR. DEPUTY-SPEAKER: One mistake that we always commit is to judge others by our own standards.

SHRI P M MEHTA. Sir, I would like to ask him this question. When did he travel last in third class? Could he tell me? He cannot dare reply on this point

MR. DEPUTY-SPEAKER You make your point. I am hearing you.

SHRI P. M. MEHTA: Sir, he has increased the third class fares in an unreasonable manner. Recently, I travelled from Ahmedabad to Delhi and from Delhi to Bhavnagar by third class.

श्री शंकर दयाल सिंह (चतरा) उपाध्यक्ष जी, माननीय मेहता जी कह रहे है कि अभी अभी उन्हो ने थड क्लास मे ट्रवल किया है। मै उन को बताना चाहता ह कि अब थर्ड क्लास नही है, बल्कि उस की जगह सेकेन्ड क्लास हो गया है।

MR. DEPUTY-SPEAKER: Let us not lose more time You art familiar with the saying that a rose called by any name smells as sweet. Third class called by any name, second class or even first class remains third class or second class called third class remains second class.

SHRI P. M. MEHTA: I thank my friend Shri Shankar Dayal Singh. This is a historic contribution of Shri L. N. Mishra, Overnight he elevated the third class passengers to the glory of second class, without giving any additional facility or amenities the fares had gone up This is the socialist approach to remove class disparities

My accommodation was reserved in a two tier compartment.

MR DEPUTY-SPEAKER: Do you want to tell us all these personal stories?

SHRI P. M. MEHTA: He never travels in third class. What does he know about it? His General managers never care to go and see the third class compartments He has now come to the House with a proposal to increase fares and freights

MR. DEPUTY-SPEAKER: You have more than made your point

SHRI P. M. MEHTA The old third class .

MR DEPUTY-SPEAKER: . Now called the second class, may be called first class very soon.

SHRI P. M MEHTA: The two tier compartment was an old third class compartment, it was written by chalk that it was two tier sleeper coach. Is this the way? There were no safety bolts inside. no fans. no lights. no water.

MR DEPUTY-SPEAKER: I am telling you that these points, no light, no water, no food, are not made by you for the first time; every other Member who has spoken has made that point, not only this time but no every occasion when there was a debate on the Railway Demands.

SHRI P. M. MEHTA: I shall now come to the second point.

MR. DEPUTY-SPEAKER: We are losing more time.... (*Interruptions*)

श्री बाबेश्वर प्रसाद यादव (सीतामढ़ी) : उपाध्यक्ष जी, चाहे रात को 12 बज तक बैठना पड़े हम बैठने के लिये तैयार है । हम सब को बोलने का अवसर दिया जाय । आप समय बढ़ा दीजिये । मैं बोलता ही रहूंगा नहीं तो आप टाइम बढ़ाइये ।

(Interruptions)

MR. DEPUTY-SPEAKER: I am on my legs; nothing is going on record. When I am trying to restrain one hon. Member some other members get up and raise their voices. I do not know how we can conduct the proceedings in this way. I was trying to point out to Mr. Mehta the tightness of time. He has taken almost ten minutes and he wants to go on and on. Other Members are anxious to speak. How is it possible? Is it fair?

SHRI P. M. MEHTA: May I make a small point?

MR. DEPUTY-SPEAKER: You may make the point and then sit down.

SHRI P. M. MEHTA: I will be brief. When the Janta for Ahmedabad leaves Delhi at 6.45 hundreds of passholders enter the train and they occupy the reserve berths and seats. The conductors dare not enter the coaches; it will create a law and order problem for them if they enter. I appeal to the railway authorities to go to the platform and see the condition for themselves and ensure that proper facilities are provided on the Jayanti Janata bound for Ahmedabad.

Some Hon. Members *rose*—

MR. DEPUTY-SPEAKER: I can't do the impossible. I will do my best. I have so many names infront of me. It is not my duty to pick up a fight with every member and shut him out. I am not going to run the House in this manner. I would call these names in their order and I would request them to confine their remarks to 5 minutes each. If the members cooperate, we shall try to finish it. If we cannot, I shall have to go by the desires of the members of this House.

श्री स्वामी सच्चिदानन्दजी (हमीरपुर) : उपाध्यक्ष महोदय, मैं कम बोलने वाला हू । मुझे यह दुख है कि सारी रेलवेज जो कि एक फायदे की चीज होनी चाहिए थी, वह फायदा न दे कर, आज हम को नुकसान दे रही हैं । कुछ चीजे ऐसी होती है जिन से इन्कम होती है और कुछ चीजें ऐसी है जिन से इन्कम नही होती । खेत में जो बाड लगी होती है, उस से कोई इन्कम नही होता है लेकिन उस के अन्दर खेत में जो गल्ला पैदा होता है, वह फायदे की चीज है, लेकिन अगर गल्ले का रखवाला ही गल्ला खा जाए, तो क्या किया जाए । इसलिए मैं यह कहता हू कि जब आप की रेलवेज आप को फायदा नही देती है, तो इन को आप टाटा या बिडला या मुल्क के दूसरे ऐसे लोगो को ठेके पर सौप दीजिए । क्या फ़ायदा है इस को अपने पास रखने में जबकि इस मे आप तीन अरब रुपये का नुकसान दिखाते है । यह फायदे के लिए चीज है या नुकसान के लिए ? मैं जानता हूं कि इस समय देश में हालत खराब है और विरोधी पार्टियों में इतनी समर्थय नही है कि वह उस को ठीक कर सके । हमारी कांग्रेस के अन्दर ही ऐसी ताकत है और इतना बडा बहुमत है लेकिन मैं यह नही समझता कि इस के मातहत रेल के अन्दर 3 अरब रुपये का नुकसान होना चाहिए । इस में तो 3 अरब रुपये का फ़ायदा होना चाहिए परन्तु मालूम होता है कि कुछ फायदा होने वाला नही है ।

हमारा बुन्देलखण्ड बहुत पिछड़ा हुआ इलाका है । वहा कोई रेल लाइन नही है लेकिन मैं इस समय यह नहींकहता कि आप वहा पर रैल लाइन बनवा दे । मै तो यही कहता हूं कि इस रेलवे से आप को इन्कम क्यों नहीं होती है और इतना घाटा क्यों हो रहा है ।

अंग्रेजों के जमाने में तो घाटा नहीं होता था बल्कि इन्कम होती थी। इस का कारण यह है कि आप के यहां चोरी होती है, बिना टिकट सफर होता है, और जो चोरी करता है, उस को सजा नहीं होती है। मैं आप को ऐसे बहुत से उदाहरण दे सकता हूं। आप के स्टेशन मास्टर होते हैं वे झूठे दावे करवा देते हैं। वेगनों में भूसा भरवा देते हैं और कह देते हैं कि इस में फला कीमती माल था। आप को जो स्टेशन मास्टर है वह 50 हजार रुपये का दावा करवा देता है और उस पैसे को, जो कि उन को क्लेम के रूप में मिलता है वे आपस में बांट लेते हैं। इस तरह की बदमाशी आप के स्टेशन मास्टर करते हैं और इस में आप को बड़ा नुकसान होता है। मैं आप को सही बात बताता हूं। मैं एक छोटा सा देश भक्त हूं। पार्टी देश के लिए होती है न कि देश पार्टी के लिए होता है।

श्री नगेन्द्र प्रसाद यादव आप कांग्रेस पार्टी में हैं।

श्री स्वामी ब्रह्मानन्द जी वही पार्टी असली पार्टी होती है जो देश का भला कर सकती है। आज आप देखें कि देश की क्या हालत हो रही है। मैं आप को एक उदाहरण देता हूं जिस से सब को सबक लेना चाहिए। मैंने एक बार विदेश के एक अखबार में पढ़ा था कि किसी पार्क में एक नौजवान स्त्री और एक नौजवान घूम रहे थे। पुलिस के लोगों ने कहा कि यह बदमाश औरत किसी आदमी को लिये घूमती है। वह उस के पास पहुंचे और उन्होंने उस स्त्री से कहा, 'यह तेरा कौन है?' उसने कहा कि यह मेरा पति है। तो उन लोगों ने कहा कि नहीं, यह तेरा पति नहीं है कोई बदमाश है। इस पर उस स्त्री ने चांटा मारा। बाद में वे लोग उन दोनों को पकड़ कर थाने में ले गये। रात्रि का समय था। हो गए उस समय वहां का पुलिस मिनिस्टर भी घूम रहा था और वह यह सब देख रहा था। वह भी उन के पीछे पीछे थाने चला गया और उन दोनों स्त्री-पुरुष को उस ने छुड़वा दिया और उन पुलिस अधिकारियों को बन्द करवा दिया। अगले दिन पुलिस मिनिस्टर ने इस्तीफा दे दिया। लोगों ने पूछा कि आप ने तो न्याय किया था लेकिन फिर भी आप ने इस्तीफा दे दिया। तो उन्होंने कहा कि मेरे विभाग में ऐसी बदनीयती क्यों आई है? इसलिए मैंने इस्तीफा दिया है और चाहता हूं कि कोई ताजा दिमाग वाला व्यक्ति कार्य करे ताकि विभाग में बदनियती न आ सके। तो आप यह देखें कि एक वह देश है जहां मिनिस्टर विभाग में बदनीयती आ जाने पर ही इस्तीफा दे देते हैं, दूसरी तरफ हम लोग इस बारे में अपनी जिम्मेदारी ही नहीं समझते। कुर्सी घर की चीज समझ ली है कि कुर्सी मिल गई तो उस से ही चिपट जाते हैं। क्यों घाटा पड़ता है? तो मैं कहता हूं कि अगर श्री एल० एन० मिश्र से यह विभाग नहीं चल सकता है, तो छोड़ दें और ये जो और नौजवान बैठे हैं, वे इसको संभाले। मैं चापलूसी पसन्द नहीं करता हूं। हड़ताल होने का क्या कारण है? क्यों हड़ताल हो, क्यों चोरी हो और क्यों आप के स्टेशन मास्टर बदमाशी करें? इन बातों की जिम्मेदारी सरकार की है। मैं पहले भी कह चुका हूं कि हमारी पार्टी के सिवाय विरोधी पार्टियों में ताकत नहीं है, जो इस को ठीक कर सकें। मैं विरोधियों का दुश्मन नहीं समझता। जो भी पार्टी होती है, वह देश के लिए होती है और वह देश का भला कर सकती है। हमारी कांग्रेस में ताकत है, इसलिए मैं कांग्रेस में हूं। जब मैं समझूंगा कि यह निकम्मों की पार्टी हो गई है, शराबियों की पार्टी हो गई है, भ्रष्टाचारियों की पार्टी हो गई है, तो मैं इस को बर्दाश्त नहीं करूंगा चाहे मैं अकेला ही क्यों न रहूं। गांधी जी ने कहा था 'अकेला चल' मैं अकेला चलूंगा, अकेला कहूंगा गांधी जी के नाम पर। जो भ्रष्टाचार इस

[श्री स्वामी ब्रह्मानन्द जी]

वक्त व्याप्त है, मैं इस को पसन्द नही करता हूं ।

श्री रामकंवर (टोंक) : उपाध्यक्ष महोदय, में रेलवे अनुदान की पूरक मांगों की बहस में भाग लेने के लिए खड़ा हुआ हूं । में इस अनुदान की अनुपूरक मांगो का विरोध करता हूं ।

दोनों तरफ़ के सदस्यों के जितने भी भाषण हुए है, उन मे उन्होने कहा है कि रेलवे मे जो अकुशलता है, रेलवे में जो कर्मचारी है उन मे भ्रष्टाचार है और नाना प्रकार की जो बाधाएं हैं, उन से आज जनता बहुत दुखी है और शासन को चलाने वाले जो अधिकारी है, वह उन से संतुष्ट नहीं है । मिनिस्टर साहब ने अपने भाषण मे जो असंतुष्टता प्रकट की है, इस कारण से यह रेलवे का प्रशासन चलना बहुत ही असम्भव दिखाई देता है । उपाध्यक्ष जी, में मंत्री महोदय से कहना चाहूगा कि आखिर आप ने इस के लिए कोई कारण भी ढूढे है । आप की जितनी भी सौ सौ किलोमीटर की दूरी की छोटी छोटी रेलवे लाइन है, वे 6, 7, घटे लेती है । इसका क्या कारण है, यह आप को देखना चाहिए । जितनी भी आप की छोटी छोटी रेलवे लाइन है वे धीमी गति से चलती है और इस वजह से बहुत से लोग उन मे आना जाना पसन्द नही करते है । मेरे क्षेत्र मे उदयपुर से टोक तक जो रेलवे लाइन का तकरीबन सौ किलोमीटर का टुकड़ा है, वह सौ मील की दूरी को पूरा करने के लिए रेलवे 7 घंटे ले लेती है । इसलिए लोग यह सोचते हैं कि कौन 7 घंटे खराब करें। इस से भी आप को घाटा होता है। इसलिए जितनी ये गाड़ियां है, उन की आप रफतार तेज़ कीजिए ।

दूसरा मेरा निवेदन यह है कि जब से यह चुनाव प्रणाली चली है तब से राजस्थान की ओर रेलवे मंत्रालय का कोई ध्यान नहीं गया है और राजस्थान का हरेक इलाका जो पिछड़ा है, उस का कारण भी यही है । एक ओर तो वहा कभी बाढ़ आ जाती है और कभी सूखा उसे घेर लेता है और दूसरी तरफ भारत सरकार का राजस्थान की तरफ विशेष ध्यान नहीं है । जितनी भी नई रेल लाइन बनती हैं, वह दूसरे प्रदेशों को मिल जाती हैं और राजस्थान में कोई नई रेल लाइन नही दी जाती है, मैं आप से यह निवेदन करूंगा । और प्रधान मंत्री जी से मैं यह निवेदन करना चाहता हू कि एक दफा आप राजस्थान के किसी सदस्य को रेलवे मंत्री बनने का मौका दें ताकि राजस्थान का डेवलपमेट हो सके । ताकि राजस्थान का भी थोड़ा बहुत डिवेलपमेंट हो सके ।

कोटा से अजमेर वाया देवली केकड़ा गाडी के बारे मे पिछले सैशन मे, बजट सैशन मे मत्री महोदय ने जवाब दिया था जोकि नकारात्मक सा ही था । उस उत्तर से राजस्थान की जनता को कोई सन्तोष नही हुआ है । अगर आप ने इस तथा दूसरी कुछ लाइनो के बारे मे काम चालू किया तो लोगों को काम मिलेगा । और वहा लोगों को रेल से सफर करने का लाभ भी मिलेगा । मैं चाहता हू कि इस ओर आप ध्यान दें ।

अहमदाबाद रेलवे लाइन को बड़ी लाइन में बदलने के लिए आप पिछले साल प्रस्ताव लाए थे लेकिन वह काम आगे नही बढ़ा है । में चाहता हूं कि इस काम को आप आगे बढ़ाएं ।

मैं कैंटीनों बारे से जो कमेटी है उसका मैम्बर रहा हूं । मैं कहना चाहता हूं कि आप रेलवे स्टेशनो पर कैंटीन एलाट करते समय—शैडयूल्ड कास्ट्स और शैडयूल्ड ट्राइब्ज का बिल्कुल ध्यान नहीं रखते हैं, उनके वास्ते कोई रिजर्वेशन आपने नही कर रखा है, उनको कोई कैंटीनें आप एलाट

नहीं करते है। इस ओर भी आपका ध्यान जाना चाहिये और उनका कोटा फिक्स करके उनको आपको कैंटीन एलाट करनी चाहिये।

जहा तक सर्विसिस मे रजिर्वेशन का सम्बन्ध है क्लास वन मे शैड्यूल्ड कास्ट्स और शैड्यूल्ड ट्राइब्ज का कोटा जीरो है। क्लास दो में शैड्यूल्ड कास्ट्स का तीन परसैंट है और शैड्यूल्ड ट्राइब्ज का जीरो है। क्लास तीन मे आठ परसट है और क्लास चार मे पद्रह परसैंट है। मैं प्रार्थना करता हूं कि उनको उनका पूरा कोटा मिलना चाहिये। इन जातियो के लोगो को कोई प्रोत्साहन आपकी ओर से नही दिया जाता है। मैं चाहता हू कि आप ऐसी व्यवस्था करे ताकि सभी क्लासिस मे इनका कोटा पूरा हो सके।

श्री चंद्रिक प्रसाद (बलिया) नई रेलवे बिछाना देश के विकास के लिए बहुत आवश्यक है। देश के जो पिछडे हुए भाग है वहां पर अगर रेलवे लाइयें बिछेगे तो न केवल उन इलाको का विकास होगा बल्कि—रेलवे का जो घाटा है उसकी पूर्ति भी कुछ हद तक हो सकेकी। उससे रेलवे की आय भी बढ़ेगी। मैं आपकी प्रशंता करता हु और आपका बडा आभारी हू कि आपने बैकवर्ड एरियाज मे रेलवे लाइनें बिछाने का काम आरम्भ किया है लेकिन इसकी जो गति है, जो स्पीड है वह बहुत धीमी है और साथ ही इस मे एक रूपता नही है। इसके बारे मे मैं एक सुझाव देना चाहता हू। जो समद सदस्य बैकवर्ड एरियाज से आते है और जो रेलवे लाइनो की माग कर रहे है उन सब का आप सर्वे करा लें और उनका एक मास्टर प्लान बना ले और धीरे धीरे एक एक करके उनको आप हाथ मे लेते जाए। उनको पता लग जाना चाहिए कि उनके एरिया की बारी कब तक आएगी। इस मामले मे आपको यूनिफार्म पालिसी बना कर चलना चाहिए। जहा तक एक रूपता का सम्बन्ध है वह भी नही आ पाई है। आप बिहार को ही ले। उत्तर बिहार का दक्षिण बिहार से अभी तक भी सम्बन्ध नही जुड पाया है। इस वास्ते एक-रूपता आप लाये और यूनिफार्मली एक पालिसी बना कर उस पर आप चलें। उत्तर प्रदेश, बिहार, मध्य प्रदेश, राजस्थान, आदि मे जो बेक्वर्ड एरियाज है और जहा रेलवे लाइन बिछाने की माग है, उन सब के लिए आप एक मास्टर प्लान बना ले और धीरे धीरे उन लाइनो को हाथ मे लेते जाए। इससे लाभ यह होगा कि लोगो को पता चल जाएगा कि कब तक उनकी बारी आने वाली है। मै रेल मत्री की एक बात के लिए प्रशसा किए बगैर नही रहा सकता हू। रेलवे बोर्ड उनको इस मामले मे आगे नही बढने दे रहा था लेकिन उन्होंने इसकी परवाह न करके आगे कदम बढ़ाया है और सर्वेक्षण का काम हाथ मे लिया है। सारे देश का सवागीण विकास हो सके और आपकी आमदनी भी बढ सके इसके लिए आवश्यक है कि आप पिछडे क्षेत्रो को प्राथमिकता दे रेलवे लाइने बनाने के मामले मे।

अब मैं कुछ रेलवे लाइनो के बारे मे जो बहुत देर से माग की जाती रही है, उसको आपके सामने रखना चाहता हू। मधुपुर से वासुकीनाथ होते हुए दुमका तक नई बडी लाइन का निर्माण आप कराए। मधुपुर का प्रधान कार्यालय दुमका मे आज तक भी आजादी के 26 वर्ष व्यतीत हो जाने के बाद सीधा रेल सम्पर्क नही हो सका है। इस ओर आप ध्यान दे। मधुपुर से दुमका तक अगर रेल लाइन बिछाई गई तो इसमे खर्चा भी बचेगा क्योकि मधुपुर एक बहुत बडा जकशन है और वहा बहुत सी लाइने आ कर मिलती है। ममसतीपुर से बनेपुर, अससोल के बीच मे टाटा एक्सप्रेस नाम से नई ट्रेन चालू की जाएगी तो उत्तर बिहार के छपडा, समस्तीपुर, वैशाली दरभगा, मधुबनी, कटिहार, सहरसा जिले तथा असम तथा उत्तरी बगाल के लाखो लोग लाभा-न्वित होगें। अब तक इस अंचल कर सीधा सम्पर्क दक्षिण बिहार से नही है।

[श्री चन्द्रिका प्रसाद]

असंसोल से हावड़ा के लिए स्टील एक्सप्रेस चालू की जाए जो मुख्यतः असंसोल, रानीगंज दुर्गापुर, खमका, बर्दवान हावड़ा जाए। वर्तमान जो ट्रेन है उसका समय कोल फील्डज से आगे किया जाए अर्थात हावड़ा मेल 9–30 पर पहुंचे ताकि कर्मचारी समय पर आफिस पहुंच सकें उनको सुविधा हो सके।

समस्तीपुर से मद्रास वाया असंसोल (बनेपुर साउथ ईस्टर्न रेलवे) हो कर एक नई एक्सप्रेस मेल ट्रेन चालू की जाए। वर्तमान में दक्षिण के लिए जितनी भी ट्रेनें हैं वे हावड़ा से हो है। बिहार, उत्तर प्रदेश, असम एवं उत्तरी बंगाल के लाखों यात्रियों को इस कारण से असुविधा हो रही है। इस ट्रेन के चालू होने से एक ओर जहां हावड़ा स्टेशन पर भीड़ कम होगी वहां दूसरी ओर उड़ीसा के यात्री भी लाभान्वित होंगे। वर्तमान में असंसोल पुरी पैसेन्जर जो हैं उसके अतिरिक्त एक एक्सप्रैस भी आप दें ताकि यात्रियों को सुविधा हो सकें। समस्तीपुर पूरी, असंसोल हो कर नई समस्तीपुर मद्रास एक्सप्रैस के चालू होने से रेलवे को भी लाखों रुपये की अतिरिक्त आय होगी।

मैं यह भी चाहता हूं कि असंसोल को सुबर्बन एरिया घोषित किया जाए। बर्दवान से असंसोल तक सुबवन ट्रैनें बढ़ाई जाएं। इस सम्बन्ध में असंसोल से हजारों प्रस्ताव भी आपके पास आए है।

असंसोल से लखनऊ तक एक नई एक्सप्रेस गाड़ी भी दी जाए। इस गाड़ी के चालू होने से असंसोल, दुर्गापुर रानीगंज के कोल के इस्पात अंचल के श्रमिक जो मुख्यतः उत्तरी उत्तर प्रदेश, बिहार आदि के हैं लाभान्वित होंगे।

सोनपुर-बनारस के बीच एक नई एक्सप्रेस ट्रेन चलाई जाए। ऐसा आपने किया तो सीधा बिहार और उत्तर प्रदेश का सम्बन्ध हो जाएगा। वाराणसी-दारजिलिंग एक्सप्रेस एक ट्रेन चालू की जाए। इसकी बहुत दिनों से मांग हो रही है।

मलग्राडीह–भीटणी लाइन जो मीटरगेज है इसको ब्राड गेज में कनवर्ट आप करें। इसका सर्वे हो चुका है। सैक्शन भी इसकी है। लेकिन इसको प्रायोरिटी नहीं मिल रही है। इसको आप प्रोयोरिटी दें। बेकवर्ड एरिया को यहां विकसित करने का यह एक मात्र साधन है। बनारस छपरा दोड़ी लाइन को बड़ी में कनवर्ट किया जाए।

शाहगंज से ईदारा और ईदारा से बलिया बड़ी लाइन की जाए। बलिया जनपद को विकसित करने के लिए बेलथरा रोड से वाया सिकन्दरपुर मनियर बांसदी होते हुए बलिया तक नई लाइन बिछाई जाए।

बेलथरा रोड़ से वाया नगरा, एसड़ा में इंदौरा और बलिया की लाइन में मिला दिया जाए ताकि यह पूरा जनपद विकसित हो सके।

कानपुर और पटना के बीच में गंगा पर पुल बनाने की बात चल रही है जिस की हम लोगों ने कई बार मांग की है और रेल मंत्री ने आश्वासन भी दिया है। इस पुल को बक्सर और उचियारघाट के बीच बनाया जाए और बक्सर को बलिया से बड़ी लाइन से जोड़ दिया जाए।

मैं यह भी चाहता हूं कि दूसरे दर्जे का किराया न बढ़ाया जाए। रेल यात्रियों का बीमा किया जाए एक लाख रुपए का और सैकिंड क्लास के पसेंजर्ज से एक टिकट पर एक रुपया लिया जाए और पहले दर्जे के यात्रियों से दस रुपए लिया जाए जैसे हवाई जहाज में होता है। रेल दुर्घटना होने पर आपको मुआवजा नहीं देना पड़ेगा, बीमा कम्पनी देगी। आप को जो बीस पच्चीस हजार देना पड़ता है वह आपको नहीं देन पड़ेगा और आपकी बचत हो जाएगी। सैकिंड क्लास में लोगों को बैठने तक जगह नहीं मिलती है और आप उनका किराया बढ़ा रहे हैं। यह आपको नहीं करना चाहिए। जो फिजूलखर्ची

हो रही है रेलवे में इसको भी आपको बन्द करना चाहिए। हमने देखा है कि सिकंदराबाद प्लेटफार्म पर रंग रोगन करने पर आप तीन लाख रूपया खर्च कर रहे हैं जबकि उसकी हालत बहुत अच्छी है। दूसरी जगहों पर जहा प्लेटफार्म तक नही है आप ध्यान नही देते है और यहा आप तीन लाख खर्च कर रहे हैं। इस तरह की जितनी फिजूलखर्चिया है ये बन्द होनी चाहिए।

डिपार्टमेंटल केटरिंग खत्म करके आपको चाहिए कि प्राइवेट केटरिंग आप शरू करे। इससे आपको जो करोंडों का घाटा हो रहा है वह नही होगा और आपको नफा होगा। इसमें भ्रष्टाचार भी बहुत बढ़ा है। मुझे मालूम है कि आगरा के एक इस्पक्टर ने एक महीने में एक लाख रूपया पेठे में कमाया है। यह भी पता चला है कि इसका वहा से हटाया जा रहा है लेकिन अब फिर उसको वही रखा जा रहा है।

मैं यह भी चाहता हू कि शक्कर, नमक, पेपर, सिमेंट आदि जिनको आम आदमी इस्तेमाल करता है उनको इस बढोतरी से मुक्त रखा जाए।

मैं यह भी चाहता हूं कि स्ट्राइक के दौरान जिन लोगो ने हिंसात्मक काम किए हैं, तोडफोर का है, उनको तो चाहे आप, वापिस नौकरी पर न लें लेकिन बाकी सब लोगों को आप डयूटी पर अविलम्ब ले लें। अपील का जो मसला है उसको आप ज्यादा देर लटकाए न रखें और एक साथ आदेश आप दे दें कि उनको डयूटी पर बला लिया जाए। ऐसा चूकि आप नही कर रहे है इस कारण से असन्तोष बढ रहा है और मजदूर समर्थन हमारी जो नीति है उसको इससे ठेस पहुच रही है।

MR. DEPUTY-SPEAKER. Nothing displeases me more than to fight with Members.. (*Interruptions*) I would like today that we part with some sweetness but when I am just half through my sentence, Members take the words out of my mouth. How can we go on like this? I was trying to say that nothing displeases me more than to be deprived of the right of listening to the Members. I respect every Member's views. When I am placed in this position to shut out Members, I do It with great reluctance. May I request you, that when I run the House and I want to say something, you please do not interrupt.

Now, Shri Ram Deo Singh.

श्री राम देव सिंह (महाराजगंज) : इन अनुदान की मागों का मैं विरोध करता हूं। रेलों में आज जितना नुकसान हो रहा है और जिस तरह से इसकी वित्तीय स्थिति नीचे ही नीचे धसती जा रही है, ऐसा आज तक के रेलों के इतिहास में कभी नही हुआ। नई रेलवे लाइनों की जो मांग हुई है उसका मैं विरोध नही करता लेकिन मैं चाहता हू कि जो पुरानी गाडिया चलती हैं, जो पुरानी लाइनें है, उनको तो आप ठीक तरह से मेंटेन करें। हमारा अनुभव यह है कि थोडा सा हनमतैया जी के जमाने में जो प्रोग्रेस दिखाई पडी थी वह मिश्र जी के आते आते समाप्त हो गई है, दक्षता का अभाव हो गया है। श्री भागवत झा आजाद ने कहा कि श्री जार्ज फरनेंडीस ने इटरनेशनल कान्फ्रेंस में जा कर रेलवे की शिकायत की। मैं समझता हू कि देश के तथा दुनिया के कौने कौने में रेलों की जितनी भर्त्सना की जाए थोडी है। इतने बडे ह्रास का सामना आज तक रेलों को कभी नही करना पडा है। स्ट्राइक किस तारीख को हुई? आप ने रेल को किस तारीख से बन्द कर दिया? हडताल के पहले तो आप खुद ही हडताल पर चले गए। सारी गाडिया सस्पेंड कर दी और उस जमाने की सस्पेंड की गई गाडिया बहुत सी आज भी सस्पेंड है। जो जनता चलती थी छोटी लाइन पर लखनऊ से आज भी वह सस्पेंड पड़ी है, नही चलाई जा रही है।

फिर ये जा रहे है किराया दढ़ाने के लिए। मैं पूछना चाहता हूं कि यह लूट जो रेलवे में चल रही है वह कभी आप की नजरों के सामने आया है? अगर उस लूट को आप बन्द कर दें

[श्री राम देव सिंह]

तो एक नया पैसा भी बढ़ाने की जरूरत नहीं होगी। लेकिन यह रेलवे प्रोटेक्शन फोर्स जिस को दिन पर दिन आप शक्ति देते जा रहे हैं। आप ने कभी कभी पता लगाने की कोशिश की है किसी स्टेशन पर जाकर के कि किस तरह से रेलवे प्रोटेक्शन फोर्स रेलवे को लूट का अड्डा बना हुआ है? इस फोर्स का एक एक आदमी लूट में लगा हुआ है। मैं इस को चेलेंज करता हू। गया जिले के पहाड़गंज स्टेशन पर जरा देखेंगे तो वर्षों वर्षों से वहां पदासीन लोग लूट में लगे है। कोई उन का ट्रासंफर नहीं कर सकता। किसी का ट्रासंफर होगा तो वह ट्रासंफर लेटर ले कर दिल्ली चला आएगा, लूटा हुआ पसा खर्च होगा, उस का ट्रासफर समाप्त हो जाएगा।

हड़ताल के सिलसिले मे इस सभ्य सरकार ने इतनी बर्बरता की कार्यवाही की है, जो अपने को समाजादी सरकार कहती है उस ने जितनी क्रूरता दिखाई है उस की कही मिसाल नही मिलेगी। मै भागलपुर जेल में डिटेशन में था, मिसा के अन्तर्गत बन्द था तो वहा छोटे छोटे बच्चे धनबाद के और समस्तीपुर के पकडकर लाए गए थे। मैने उन से पूछा कि क्या तुम रेलवे में काम करते हों? कहा नही। हमारे बाप करते है। पुलिस गई हमारे बाप को पकडने के लिए वह नही थे, हमी को पकड कर ले आई, मा बहनों को घसीट घसीट कर, उन का झोटा पकड़ कर बाहर निकाला, पानी बिजली बन्द कर दी, क्वार्टर से निकाल कर उस में ताले बन्द कर दिए वे अपनी कुछ मागों को ले कर हडताल कर रहे थे। उन के साथ इस तरह का क्रुर व्यवहार क्या किसी सभ्य सरकार के लिए उचित था? क्या यह नतिकता थी? उन के साथ इस तरह का दुर्व्यवहार करने का कोई औचित्य था? मैं आप से पूछना चाहता हूं कि क्या आप को जूडिशियरी में विश्वास है? न्यायपालिका के न्याय में आप को विश्वास है? अगर होता तो संविधान की धारा 311 के अन्तर्गत कलकत्ता हाईकोर्ट ने जो कहा है कि जिन लोगों की सर्विसेज समाप्त हो गई है वह असंवैधानिक है, गैरकानूनी है, उस को खत्म करना चाहिए उस को आप मानते। लेकिन सुना है कि रेलवे मंत्रालय अब सुप्रीम कोर्ट में ले जाने की तयारी कर रहा है। अगर इन को न्यायपालिका में विश्वास होता तो जसे ही हाई-कोर्ट का जजमेंट हुआ इन का सकुलर जाना चाहिए था सारे रेलवे के अधिकारियो को कि जिनकी सेवाएँ समाप्त कर दी गई है पुन. उन्हें सेवा में ले लिया जाए। लेकिन सेवा में नही लिया।

एक बात मै और कहना चाहता हूं। अभी थोड़े दिन पहले एक बार मिश्रा जी डी-लक्स से सफर कर रहे थे। कुछ एम पी लोग भी उस गाड़ी में थे। गाड़ी दिल्ली मे चली तो एक जनेरेटर उस में पहले से ही खराब था। काफी डिटशन के बाद गाडी चली। जब गाडी टूंडला पहुची तो वहा दूसरा जनरेटर भी खराब हो गया। गाडी रुक गई। अब हम लोग तो फस्ट क्लास वगैरह मे खिडकिया होती है, उन को खोल लिए और बाहर भी आ गए, मगर मिश्राजी अपने उसी मैलून मे मेंढक जैसे फूलते रहे, निकल कर बाहर नही आए। रामावतार शास्त्री जी भी उसी गाडी मे थे। सारे लोग अपने तरीके से इसकी निन्दा कर रहे थे।

फाल्स क्लेम करके जो रेलवे से लोग पेमेट लेते है उसकी आप सी बी आई से जाच कराइए या किसी पार्लिामेटरी कमेटी से कराइए, उस को आप पकड नही पाएंगे। लाखो लाख रुपये उसमे गलत तरीके से लोग ले जाते है जिसमें कोई औचित्य नही होता है।

सिवाल स्टशन पर अनधिकृत तौर पर सारी जमीन लाठी के बल पर वहा के लोगों ने दखलप्कर ली है और उस पर अच्छे अच्छे मकान, अच्छी अच्छी दूकान खोलकर बैठ है। मैं ने उस के लिए चिट्ठी लिखी, यहां लोक सभा में बोला, लेकिन आज तक हुआ कुछ नही। अफसर ज्यादा कड़ाई करने लग तो आदमी दिल्ली आया, जी एम के नाम का मैसेज ले गया कि कड़ाई

न की जाये । नतीजा यह है कि आज भी वह उसी जमीन पर जम कर बैठे हुए हैं बिना किसी बन्दोबस्त के । कोई देखने वाला नही है ।

मैं रेलवे की नई लाइने निकालने के कोई खिलाफ नही हू । लेकिन जो रेलवे लाइने ठप्प पडी हैं और उनकी व्यवस्था बिगड़ रही है उसे तो ठीक किया जाये । आप की व्यवस्था जो जनता के अहित मे जा रही हैं उसको तो ठीक करिए, जो बरबादी हो रही है उस को बचाइए । अगर नही बचा सकते और व्यवस्था ठीक नही कर सकते तो लाल बहादुर शास्त्री की तरह इस्तीफा दे कर त्यागपत्र देकर आप को हट जाना चाहिए ।

*SHRI R. N. BARMAN (Balurghat): Mr. Deputy-Speaker, Sir, I rise to support this supplementary budget presented by the hon. Railway Minister. This budget seeks to raise an additional revenue of Rs. 140.07 crores out of which Rs. 41.55 crores will be raised through passenger fare and Rs. 98.52 crores through freight on goods. Incidentally it may be mentioned that in the Railway Budget presented in February this year a revenue of Rs. 136.38 crores was sought to be raised. Therefore comparatively a larger revenue is sought to be raised through this supplementary budget than was done through the regular budget. It has further been stated that it may be necessary to present another budget in December this year. I am sure that it will be necessary to bring forward another budget in December because enhanced rates of dearness allowance has been sanctioned for railway employees w.e.f. April 1974 and two more slabs of dearness allowance have already become due.

Now we should examine why it was necessary to bring forth this supplementary budget. It was necessitated primarily due to three reasons. Firstly, on account of an increase in the working expenses of the Railways; secondly due to the loss suffered on account of the Railway strike and thirdly due to a fall in passenger and goods traffic. Sir, long discussions have taken place in this House on the railway strike and I do not propose to go into that at present. I will only say that in the present difficult economic situation in the country when the prices of all essential commodities are rising at a fast pace and when the difficulties of the people are mounting every day, it is very necessary that the Railways keep on running efficiently and smoothly. The economy of the country is dependant to a large extent on the railways. It is not the railway economy alone that has suffered a loss due to the Railway strike. If the loss suffered by the entire country could be properly estimated, I am sure it will run into several crores. Sir, I have heard many people asking that why should the burden of the loss suffered due to the railway strike be passed on to the common man? Why should they be taxed again and again? Now, the logic of their question cannot be totally ignored.

The labour in our country, as they become more organised, are inclined to press their demands more and more. They seem to forget that there is a huge section of consumers also in the country who are thereby adversely affected. We find this condition prevailing not only in the railways but in all other industries also. Whether there is any production or not, whether there is any increase in production or not, the workers must get their demands. As a result of this attitude production is not increasing anywhere as expected. Every day strikes and go-slow etc. has become a common feature. Of course I do not mean that the workers should be deprived of their rightful and legitimate demands. It is not proper to say that and nobody will say like that. Our Government also has never said like that. I only want to say that negotiations should be held with all the railway

*The original speech was delivered in Bengali.

[Shri R. N. Barman]

unions and an agreement should be reached that there would not be any disruption of railway movement for the next three years at least and efficiency of the railways would increase. You would be surprised to know that during the strike period loading and unloading on the railways had actually gone up. This goes to serve that with the cooperation of the workers, the efficiency of the railways can surely be increased to a considerable extent.

I will request the various railway unions to consider whether their duty ends with pressing the demands of the workers or that they should also see how the production capacity of the railways can be improved. I will like to know from them what are the various schemes they have submitted to the Government for increasing the efficiency of the railways and which have not been implemented by the Government.

I will like to draw the attention of the hon. Minister to a report published in the 'Financial Express' dated 22nd August, 1974. It says:

> "The Railway spokesman, briefing newsmen on the Budget maintained that in spite of the steep increase in freight, the rise in the whole sale price index should not be more than 1.5 to 2 per cent while consumer price index would go up by around one per cent."

That means the consumer price index will go up by hardly 1 per cent as a result of the present budget. I want to know on what basis did the Railway Board arrive at such a conclusion. I will be much obliged if the Railway Minister kindly explains this. If this conclusion is correct, then I will like to know what were the expectations of the Railway Board regarding the resultant rise in prices at the time of presentation of the original railway budget in February this year and how far has that budget contributed to the terrible inflationary pressure that has built up in the last six months. I do not think that the aforesaid claim of the officer of the Railway Board regarding the present budget is correct, because in the last one year freight rates have been increased by 34 per cent and passenger fares have also gone up by 20 per cent to 25 per cent which is an all time record. As a result of the present increase in freight rates, the price of coal and steel will go up. The price of controlled cloth will also have to be raised. This will also cause a rise in the prices of aluminium goods, raw cotton, kerosene oil, charcoal, firewood and even salt. But the important thing is this that in a year in which four budgets are presented, two general budgets and two railway budgets, prices are sure to go up in that year. Then why not admit this fact and why indulge in statistical jugglery? It will be better if the Railway Board officials devoted more time and attention to stop ticketless travel on the railways, to prevent pilferage of goods from railway stores, to stop theft of coal meant for the railways which was also mentioned in the Public Accounts Committee, to ensure the punctual running of trains etc., instead of wasting time in statistical jugglery. On the one hand, it is said that railway earnings are falling because of decline in goods traffic, on the other hand, they are saying to the public sector as well as to the private sector industries that they are unable to carry goods in time for want of wagons. Some days back I read a report that only 10 per cent of the passengers travelling by the Indian Airlines pay their own fare. I will like to know what is the number of such passengers on the railways. Sir, the Estimates Committee has suggested that railway free passes should be discontinued. Why are we unable to accept this? What is the difference between the employees of the Railway Board and the employees of the Central Secretariat? Why do the former get a free pass for travelling on the railways? Even now there are some railway officers who are no

longer working in the Railway department but have gone over to other departments and have even been confirmed there. But surprisingly they continue to get the benefit of a free railway pass. What is the justification for this? Therefore, I will tell the hon. Minister that by putting a check on thefts and pilferage and by effecting economy in the Railways we may be able to forestall the necessity of a third budget in December. I will further suggest that the railways' contribution to the general revenues should be totally overhauled. The Railway Convention Committee should go into this matter seriously. The Railway Board should also sit up and function constructively, their indulging in statistical jugglery alone will not serve any purpose. Statistics only aggravate the miseries of the people they don't relieve them.

Sir, for the last three years I am only demanding that Malda and Balurghat may be connected by a broad gauge line. At first a survey was conducted and it was decided that the line should pass via Gajol. The survey report kept lying in the Railway Ministry. After prolonged correspondence I received a letter on the 5th August 1974 which said, "Earlier a Traffic Survey was sanctioned for a new B G. line from Old Malda to Balurghat via Gajol. The alignment was changed to run from Eklakhi to Balurghat via Gajol, Buniadpur, Gangarampur and Rampur because the portion from Old Malda to Gajol lies by the side of the existing line upto Eklakhi. The Traffic Survey has been completed and the report is under examination." That means the earlier report was shalved and the new survey report is now under examination. The earlier report was under consideration for about two and a half years and I do not know how many years it will take to consider the new report. We are only adding to the misery of the people by changing our decisions again and again and by conducting fresh surveys. Had we implemented the earlier survey report at least work could have started on this railway line. But that was not done. About the new survey that was conducted on this proposed line, it was stated in the Lok Sabha in reply to unstarred question No. 6833 on the 16th April 1974 that *"Ekhlakhi-Malda (new B. G. line)*: A traffic survey has been completed and the report is under examination. The estimated cost of this 90.0 km. long line is Rs. 10.35 crores. According to the Survey report, the line is seen to yield a negative return." I want to know when a final decision will be taken in this regard and when will the work commence on this railway line or will this area still remain backward even after 27 years of independence? Sir, for the last 27 years the people of this area had only been getting assurances All the earlier Railway Ministers had only been giving assurances but nothing concrete has been done. Why is it so?

**MR. DEPUTY-SPEAKER: Please conclude now. You have already taken more than 5 minutes.

SHRI R. N. BARMAN: Yes Sir. The people of this area had all along been returning the Congress candidates in the elections. But now the impression is gaining ground that had they voted for some candidates of the Opposition party then the Government would have taken up this work long back. They are delaying this project as the demand has come from a member of their own party. I will earnestly request the Railway Minister to ensure that this proposed railway line from Balurghat to Malda is completed within the next Five Year Plan. In the end I will say that the railway passengers are being made to pay higher and higher fares only but no attention is being paid to the facilities provided to them. The third class (now second class) passengers are often not provided with water, light, fan etc. Even now there are many stations where the platforms are not provided with sheds. I have one more request

[Shri R. N. Barman]

that the New Delhi to Gauhati Mail via Farakka at present runs bi-Weekly. This may be run daily or at least on three days in a week. Sir I will conclude by saying that the proposed increase in railway freight charges will strike a severe blow on the mustard oil mills in West Bengal and this industry will have to close down. I will request the hon. Minister to remove the disparity in the freight rates on mustard seeds and mustard oil.

श्री राम हेडाऊ (रामटेक) : उपाध्यक्ष जी, देश मे जो कुप्रशासन जारी है उस मे सब से अगला नम्बर रेल मंत्रालय का लगता है। कहते है यह कलियुग है, जब कि मैं इसको भ्रष्टाचार का युग कहता हूं। और भ्रष्टाचार के लिये सब से अधिक जिम्मेदार आज की सरकार है जिसके हाथ में देश की बागडोर है। भ्रष्टाचार के बारे मे जितना कहा जाय कम होगा। मै आपको रेलवे प्रशासन की अनियमितता का एक ज्वलन्त उदाहरण देना चाहता हू। हमारे रेल मत्री जितने अनियमित तरीके से काम करते है उससे भी अधिक इनकी रेलगाडी अनियमित ढग से चलती है। राष्ट्रपति के चुनाव में वोट देने का जो मेरा हक था उससे मुझे इनकी अनियमितता के कारण वचित होना पड़ा। मैं बम्बई मे मतदान करने जा रहा था जो गाड़ी बम्बई में सवेरे पहुचती थी वह गाड़ी उस दिन रात को 1 बजे पहुची। दोनों गाडियां 15 घंटे लेट पहुंची। परिणाम यह हुआ कि मैं मतदान नही कर सका। मैं तो कहूगा कि इस अपराध के लिए रेल मत्री को इस्तीफा देना चाहिए क्योकि मुझे अपने हक से वचित किया गया।

एक तरफ कहा जाता है कि वैगन्स की कमी है, और दूसरी तरफ लाखो वैगन्स रिपेयर होने के लिए पड़े हुए है। एक एक स्टेशन पर 15, 20 दिन तक वैगन्स खड़े रहते हैं। इसके लिये कौन जिम्मेदार है? चोरियो के बारे में कल, परसों कहा गया।

श्री नगेन्द्र प्रसाद यादव (सीतामढ़ी) ** :

श्री राम हेढ़ाऊ : जब राजा खुद चोरी करता है तो नौकरशाही भी चोरी करती है।

MR. DEPUTY-SPEAKER: Order please. The hon. Member on this side seems to be particularly in high spirits. I would like to ask Mrs. Ray, who is sitting near him, whether he is deriving inspiration from her.

SHRIMATI MAYA RAY (Raiganj): Sir, I consider that to be the greatest compliment paid to me!

MR. DEPUTY-SPEAKER: Will you kindly listen at least to your neighbour and try to restrain yourself now?

श्री राम हेडाऊ : रेलवे प्रोटेक्शन फोर्स खुद चोरी करता है इसके लिये रेलवे का कुप्रशासन ही जिम्मेदार है। आपने रेलवे का किराया बढाया, लेकिन मैं पूछना चाहता हूं कि यात्रियो के लिये कौन सी सुविधा दी? मत्री जी इतने बडे जगलर है कि कहने को थर्ड क्लास की जगह सेकेन्ड क्लास कर दिया। मेरी मांग है कि प्रोटेक्शन फोर्स में सुधार किया जाय।

20 लाख रेलवे कर्मचारियों के प्रतिनिधियो को रेलवे के मैनेजमेट में रिप्रेजेन्टेशन दिया जाय। कर्मचारियों पर अन्याय हो रहा है, नागपुर में इनका रिवर्सन हो रहा है उसको रोका जाय। टिकट चैकिंग स्टाफ को रनिंग स्टाफ माना जाये। रेलवे बोर्ड के चेयरमैन पर पूरी जिम्मेदारी सौपी जाये अन्यथा उस पद को समाप्त कर दिया जाय। रेल हड़ताल के समय जो कर्मचारी निकाले

**Expunged as ordered by the Chair.

गये उन सब को काम पर वापस लिया जाये ।

अब मैं कुछ रेलवे मार्गों के बारे मे कहना चाहता हू । वणी से चनाखा रेलवे मार्ग बनाने का जो काम निश्चित हुआ था विदर्भ में वह काम क्यों बन्द कर दिया गया ? क्या इसलिये कि विदर्भ का विकास न हो ? दूसरे नरखेडा से अमरावती मार्ग के लिये वहा के लोग आन्दोलन करने के लिए तैयार हो गये है । इसका सर्व भी हो चुका था लेकिन अभी तक काम शुरू नही हुआ । मेरी मांग है कि उस मार्ग को हाथ मे लिया जाये ।

अब मेरे कुछ नये सुझाव है जैसे आदिलाबाद से राजुरा मार्ग बनाया जाये । इसी प्रकार ब्रोड गेज पर जबलपुर से गोंदिया और गोंदिया से चन्द्रपुर मार्ग बनाया जाय । इसी तरह से भडारा और अमरावती को मेन लाइन पर लाया जाय । नागपुर और कामठी में यात्री काफ़ी चलते है इसलिये एक एक रेलगाड़ी सवेरे और शाम चलाई जाय । इसी प्रकार नई दिल्ली से जो जी० टी० नागपुर जाती है उस को नारखेड़ा पर तीन मिनट रोका जाय ।

श्री नागेन्द्र प्रसाद यादव : उपाध्यक्ष जी इन्हों ने जो शब्द इस्तेमाल किये है उन को प्रोसीडिंग्स से निकाल दिया जाय ।

श्री शंकर देव (बीदर) : उपाध्यक्ष जी 'चोर' शब्द अनपार्लियामेटरी है या पार्लियामेंटरी इस बारे मे आप की रूलिंग चाहता हूं ।

MR. DEPUTY-SPEAKER: In all this noise, I am not able to follow what has been said and what has not been said. If there is anything that is objectionable, unparliamentary or undignified, I shall look into that.

श्री शंकर देव : जब तक आप निर्णय नही देते तब तक क्या "चोर" शब्द हम इस्तेमाल कर सकते हैं ।

MR. DEPUTY-SPEAKER: I am not going to give my ruling on a hypothetical point of order. I am saying that in all this noise, I am not quite sure of what was said and what was not said. There is so much shouting on all sides. If there is anything that is unparliamentary, I shall go into that and delete it.

श्री राजेन्द्र प्रसाद यादव (मधेपुरा) : उपाध्यक्ष जी मै रेलवे की अनुदानों का समर्थन करता हूं । यह बात सही है कि गत दो सालों का रेलवे का इतिहास हडतालों, काम बन्द करो, धीमे काम करो या नियम के मुताबिक काम करो का इतिहास रहा है । और परिकाष्ठा तब देखी गई जब कि हाल में रेलवे स्ट्राइक हुई । मैं उस हड़ताल को राजनीतिक हडताल कहता हूं क्यों कि राजनीति से प्रेरित हो कर वह हड़ताल की गई ।

मुझे भी रेलवे कर्मचारियों के बीच काम करने का मौका मिला है इसलिये मै कह सकता हूं कि श्री जार्ज फ़रनान्डीज ने रेलवे के मुवमेंट को 10 वर्ष पीछे ढकेल दिया है । आज किसी भी रेलवे कर्मचारी की यह हिम्मत नही है कि वह अपनी सही मांग के लिये प्रशासन के सामने खड़ा हो सके । जहां तक अभी हमारे दोस्त ने बताया कि इंटरनेशनल कानफ़रेंस जो स्टाकहोम में हुई थी उस मे जो माननीय फ़रनान्डीज ने कहा था रेलवे स्ट्राइक के बारे में उस को मैं देशद्रोह तथा अनैतिक कहना चाहता हूं । और वह इसलिये कि इन्हों ने देश का ध्यान नही रखा । पहले देश बचेगा तब और कुछ हो सकता है । इसलिये यह देशद्रोह था और अनैतिक था ।

यह बात सही है चन्द एक कारणों के चलते रेलवे प्रशासन का खर्चा बढ़ा है । जिस में नम्बर (1) है.... (व्यवधान) इन के बेज बिल में 60 परसेन्ट की बढ़ोतरी

[श्री राजेन्द्र प्रसाद यादव]

हुई है। नं० 2 महगाई भत्ता जनवरी 1 को फरवरी 1 को और अप्रेल 1 को बढ़ा है। इस के बाद यह भी बात सही हैं कि मियाभाई ट्रिबूनल का जो एवार्ड है उस को भी इम्पलीमेंट करना पड़ा हैं। इस में भी इन का खर्चा बढ़ा है और रिकगनाइज्ड फेडेशन से बात करके जो इन्होंने म दूरों को रियायतें दी हैं, उन से भी इन का खर्चा बढ़ा है। ये सब बातें है और सब से बड़ी बात यह है कि हड़ताल जो हुई तो इन्होंने बताया कि 4 करोड़ रुपया केवल उस को मैनेज करने में लगा। इस के अलावा रीलिंग स्टाक के रिपेयर में भी इन का खर्चा बढ़ा है। ये सब बातें सही हैं लेकिन विचाराणीय बात यह है कि क्या इस की पूर्ति किसी और माध्यम से की जा सकती है या नहीं। इन्होंने कहा है कि ये वेस्टफुल एक्सपेंडीचर को कट करना चाहते हैं। वास्तव में इस दिशा में ये करना क्या चाहते हैं इस की जानकारी होनी चाहिए। वेस्टफुल एक्सपेंडीचर के बारे में मैं एक दो बातें कहना चाहता हूं।

आप को जानकर हैरत होगी कि जी० एम० साहब की जो स्पेशल चलती है उस पर एक दिन में दो लाख रुपया खर्च आता है। क्या इस को वेस्टफुल एक्सपेंडीचर नहीं कहा जाएगा। दूसरी बात मैं रेलवे बोर्ड के जो बड़े बड़े अधिकारी हैं जो कि बड़ी बड़ी तन्खवाह पाते हैं उन के बारे में कहना चाहूंगा क्योंकि इन्होंने बार बार कहा है कि टेक्निकल एक्सपर्टस को इन्होंने रखा हुआ हैं। मैं जानना चाहूंगा कि टेक्निकल एक्सपर्टस को इन्होंने इसलिए रखा है कि जितने भी सवाल पूछे जाए उन का जवाब 'नो' में वे दें? हमारे माननीय सदस्यों को यह अनुभव होगा कि एक भी प्रश्न अभी तक ऐसा नहीं होगा जिस का उत्तर इन्होंने 'हा' में दिया हो। क्या यह रेलवे बोर्ड के लोग इसीलिए हैं ? क्या इस को वेस्टफुल एक्सपेंडीचर समझा जायेगा या नहीं ?

अगली बात मैं यह कहना चाहता हूं कि आर० पी० आफ़ को हमारे बहुत सारे दोस्तों ने कहा है कि यह पिलफेज फोर्स है। मैं इस को दोसराना नहीं चाहता लेकिन मैं ईमानदारी से कहना चाहता हूं कि यदि आर० पी० एफ को एबोलिश कर दिया जाए, तो इन की चोरी 50 परसेन्ट तुरन्त बन्द हो जाएगी। इतना मैं गारेन्टी के साथ कह सकता हूं। इन्होंने यह कहा है कि आर० पी० एफ़ को हम आर्गेनाइज करना चाहते हैं। हम जानना चाहेंगे कि उस दिशा में क्या कुछ कदम उठाये हैं जिस से पिलफ्रेज बन्द हो।

इन्होंने पेनेल आफ़ लाइयर्स की बात पहले भी मानी है। पेनेल आफ़ लाइयर्स हर जगह मुकर्रर किये जाएं। (घंटी) मैं एक बात कह कर खत्म कर रहा हूं।

अन्त में यह कहना चाहूंगा कि हम चाहते हैं कि किस तरह से रेलवे में पैसे की बचत की जा सकती है। इन के एक अधिकारी है, डाइरेक्टर हैं आर० डी० एस० श्री मि० पुरी।

MR. DEPUTY-SPEAKER: Do not bring in the names of individuals. I have said many a time that the names of individual officers should never be mentioned here.

SHRI R. P. YADAV: I am not telling anything against him.

MR. DEPUTY-SPEAKER: The names should not be mentioned. He should conclude now.

SHRI R. P. YADAV: This is my last point.

उन्होंने इन के पास एक प्लान दिया था जिस में उन्होंने कहा था कि किस तरह 480 करोड़ रुपया बचाया जा सकता है। रेलवे बोर्ड ने उस को माना है और साइंस और टेक्नोलाजी मिनिस्ट्री ने भी उस को देखा है और माना है। मैं यह कहना चाहूंगा कि मंत्री महोदय उस रिपोर्ट को देखें और गौर करें और उस को इम्पलीमेंट कराने की कोशिश करें। तकलीफ़ यह होती है उपाध्यक्ष महोदय, कि

इस तरह के जो ब्रिलियेंट आफ़िसर्स हैं जो अपना प्लान देते हैं, पर चूंकि वे केडर में छोटे पड़ते हैं, इसलिए रेलवे बोर्ड के उच्च अधिकारी उस को खटाई में डाल देते हैं। इसलिए मैं मंत्री महोदय से आग्रह करूंगा कि उस रिपोर्ट को आप देखें कि किस तरह से पैसे की बचत आप कर सकते हैं और उस तरह के आफ़िसर को आप पेनेलाइज न करें बल्कि वाजिब इन्साफ उन्हें दिया जाय।

श्री शिव कुमार शास्त्री (अलीगढ़) : उपाध्यक्ष जी, आप ने इस विभाग की डिबेट में भाग लेने वाले अधिकांश वक्ताओं को यह कहा है कि आप बार बार उन्हीं बातों को दोहराते हैं जैसे कि पंखा नहीं है, लाइट नहीं है या पानी नहीं है। तो इस का एक अर्थ यह भी तो है कि बुराई और करप्शन इस विभाग में इतनी व्याप्त है कि इस से प्रत्येक यात्री दुखी और संत्रस्त है। इसलिए जब तक प्रत्येक वक्ता इन बुराइयों की निन्दा न करे, तब तक सम्भवत : यह विभाग इन पर ध्यान नहीं देगा। समय की बचत की दृष्टि से मैं भी उन के स्वर से स्वर मिला कर इन बातों की ओर मंत्रोलय का ध्यान खींचना चाहता हुं और चाहता हुं कि वह इन बुराइयों को दूर करे।

साथ ही में यह कहना चाहता हुं कि दूसरे दर्जे का किराया बढ़ा कर आप ने उस ग़रीब जनता के साथ बहूत ही निर्दयता का व्यवहार किया है जो टिकट तो लेती है लेकिन जिस को बैठने के लिए आप जगह नहीं देते। या तो वे खड़े रहते हैं या पायदान पर लटकते जाते है। गाड़ी में जब बैठने का समय आता है तो खिड़की से वे अन्दर घुसते हैं और उतरने का समय होता है तो बाहर भी खिड़की से वे कूद पड़ते हैं। आप यह भाड़ा बढ़ा कर उन के साथ घोर अन्याय कर रहे हैं। कम से कम सुविधा के नाम पर बैठने के लिए जब उन को आप सीट मुहैया नहीं कर सकते, तो अत्यन्त आवश्यकता होने पर जब वे यात्रा करते हैं तो उन के ऊपर आप को दया करनी चाहिए थी और दूसरे दर्जे का आप को भाड़ा नहीं बढ़ाना चाहिए था। साथ ही जिन कमियों की ओर आप का ध्यान खींचा गया है उनमें से एक कमी पानी की है। पानी के पिलाने की व्यवस्था के लिए जो पानी पिलाने वाले एक दो दिखलाई देते हैं जबकि गाड़ी बहुत लम्बी होती है और वे सब को पानी नहीं पिला सकते। इसलिए गाड़ी स्टेशन पर ठहरते ही यात्री नलके की ओर दौड़ते हैं और वहां पर बहुत भीड़ लग जाती है। इसलिए इस ओर भी आप का ध्यान जाना चाहिए और कम से कम गर्मियों में तो आप को पानी पिलाने के लिए अधिक संख्या में आदमियों को रखना चाहिए।

14 hrs.

रिजर्वेशन के सम्बन्ध में भी आपका एक से अधिक बार ध्यान आकर्षित किया गया है और यह बताया गया है कि लाइन के पास में कुछ इस प्रकार के व्यक्ति खड़े होते हैं जो कि जब लोगों को यह कहा जाता है कि जगह नहीं है तो वे कहते हैं कि आप थोड़े पैसे से दे दें तो हम आपके जगह को व्यवस्था कर देते हैं। जब जगह नहीं होती है तो वे कैसे प्रबन्ध कर सकते हैं ? इसका अर्थ यह है कि जरूर कोई न कोई अन्दर ही अन्दर सांठ गांठ है। इस वास्ते आपको इस बुराई का भी दूर करना चाहिये।

अब मैं आपका सुरक्षा व्यवस्था की ओर ध्यान आकर्षित करना चाहता हुं। आए दिन खबरें आती है कि फलां जगह गाड़ी में मुसाफिरों को लूट लिया गया। अभी दस अगस्त की बात है। अलीगढ़ से जो शटल चलती है रात के साढ़े दस बजे जिस में अधिकांश देहात वाले होते हैं.....चोला और बैर स्टेशनों के बीच में उस गाड़ी में यात्रियों को लूट लिया गया। आप कह देंगे कि सुरक्षा राज्य सरकारों का विषय है, सुरक्षा व्यवस्था करने का दायित्व राज्य सरकारों का है लेकिन इसका असर आप पर भी पड़ता है। अगर लोगों को भरोसा नहीं होगा कि वे सुरक्षित सफर कर सकते हैं तो गाड़ी में सफर करना

[श्री शिवकुमार शास्त्री]

छोड देंगे । इस वास्ते इस ओर आपका जरूर ध्यान जाना चाहिये ।

छात्रों की धाधली की ओर भी मैं आपका ध्यान आकर्षित करना चाहता हु । देहात के गरीब आदमी तो बेचारे टिकट लेकर सफर करते है, तो बैठने तक भी उनको जगह नही मिलती है लेकिन इन पढे लिखे आदमियों और खास तौर पर कालेजों के विद्यार्थियों की हालत है कि वे एक तो टिकट नही लेते है और फिर फर्स्ट क्लास में सफर करते है और अगर कोई उनको कुछ कहता है तो उसकी बेइज्जती करते है, अपमान करते हैं । इसकी कई बार शिकायत की जा चुकी है लेकिन स्थिति में कोई सुधार नही हुआ है ।

स्टेशज पर बिकने वाली खाने पाने की चीजों को भी चैक करते रहना चाहिये, उनकी देखभाल होनी चाहिये । अधिकाश चीजे इस प्रकार की होती है कि लोग पैसे भी खर्च करते हैं और बीमारी भी खरीद लेते हैं । उनकी जाच पडताल होनी चाहिये । आज भी रात के बारह एक बजे खोमचे वाले गर्म खाने की चीजों की आवाज लगाते हैं । मैं समझता हु कि ग्यारह साढे ग्यारह बजे के बाद कोई खाने की चीज बिकने का कोई तुक नही है । सवेरे तथा रात को भी चाय पी जा सकती है लेकिन रात के बारह एक बजे खोंमचे वाले न जाने कब की ठडी पूरिया लेकर फिरते है और बेचते है और गर्म पूरी की आवाजे लगाते है । यह बन्द होना चाहिये ।

भोजन की व्यवस्था के बारे में अनेक बार कहा जा चुका है । खाने की व्यवस्था आप के यहा अच्छी नही है । आटा बहुत निकम्मा होता है, सब्जिया सब की सब खराब होती हैं । इस में भी सुधार होना चाहिये ।

अब मैं अपने क्षेत्र की बात कहना चाहता हुं । वहा पर यूनिवर्सिटी है और बिजिनेस भी वहां बहुत अच्छा होता है ।

अलीगढ़ से आगे जाने वाली प्रत्येक गाड़ी में अलीगढ़ का रिजर्वेशन कोटा नही है और जो है भी वह बहुत थोडा है । वह बढ़ना चाहिये ।

अपने भाषण को अधूरा ही छोड़ता हूं, क्योंकि आप घटी बजाते जा रहे हैं मैं समाप्त करता हु ।

MR. DEPUTY-SPEAKER: Now I would require the assistance of the Minister for Parliamentary Affairs...

AN HON. MEMBER: He is not here.

MR DEPUTY-SPEAKER: His deputy is here. The list of speakers from the Opposition groups is exhausted, and I have just only 37 more from the Congress Party to speak.

SHRI R. R. SHARMA (Banda): What about my name?

MR DEPUTY-SPEAKER: You have taken your Party's time, not only yours

श्रीमती सहोदरा बाई राय (सागर) हम को भी मौका मिलना चाहिये ।

MR DEPUTY-SPEAKER: Now, I would like to have his assistance because he can assist me if he can say. (*Interruptions*) don't you listen to me? —that these members from his Party may not speak and the Minister may be called now. Then, we may be able to manage the business of the day Otherwise, it is not possible. If you insist that all these 37 Members should be given the right. I shall give the right, but the consequences have to be seen. If you forgo your right and may not speak and say that the Minister may be called, then, we may be able to manage somehow.

SHRI SYED AHMED AGA (Baramula): Why can't we extend the time by one hour?

श्री नागेन्द्रप्रसाद यादव : बारह बजे तक हम बैठने के लिए तैयार ह । आप व्यवस्था कीजिये कि हम सभी बोल सके ।

उपाध्यक्ष महोदय : इतना ऊंचा क्यों बोलते हैं । जरा ठंडा होकर बोलिये । आहिस्ता-आहिस्ता बोलिये ।

I cannot understand this hon. Member. He speaks always at the top of his voice. Let me hear him. Kindly sit down, Mr. Aga.

Now, Mr. Yadav, what do you want?

श्री नागेन्द्र प्रसाद यादव : रेल मंत्री

MR. DEPUTY-SPEAKER: We are all talking on different wave lengths. I was trying to regulate the business of the House and he speaks at the top of his voice. When I ask him what his opinion is on this, he starts speaking on the Railways. How can we go on in this way? I want the Minister of Parliamentary Affairs to tell me... (*Interruptions*)

The difficulty is that you compel me to raise my voice when I am saying something. After all, I am a human-being. What is my natural reaction? My natural reaction will be to raise my voice if you raise yours.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKARANAND): I agree that there is a long list of speakers. I am also aware of the Speaker's direction that the resolution of Shri Vajpayee be taken up at 2.30 p.m. It is our desire also that the Bonus Bill should be passed. I am entirely in the hands of the Chair and this House. We are also keen that the Resolution should be taken up according to the time schedule.

PROF. MADHU DANDAVATE (Rajapur): He has spoken as a Hamlet.

SHRI B. SHANKARANAND: I am entirely in your hands.

श्री अटल बिहारी वाजपेयी (ग्वालियर): सुबह स्पीकर साहब के सामने यह चीज लाई गई थी । अब देखने में आ रहा है कि कांग्रेसी सदस्यों के मन में रेलवे बजट पर बोलने की लालसा बड़ी बलवती हो गई है । 35-37 और बोलने वाले है । बोनस बिल भी है । ऐसी अवस्था में ढाई बजे मेरी मोशन को कैसे लिया जा सकेगा ? ढाई बजे आप इस काम को रोक कर मेरा मोशन ले ।

SHRI S M. BANERJEE (Kanpur): The Bonus (Amendment) Bill is very important.

MR DEPUTY-SPEAKER: This is the difficulty; we are all trying to take *ad hoc* decisions and very often unrealistic decisions. We decided that at 2 30 we must take up the Resolution. Here is the problem before us. Is it possible to take it up at 2 30 even if all those Members of the Congress Party give up their right to speak? The Minister is yet to reply. He will take at least half an hour.

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): Half an hour is enough for me.

MR. DEPUTY-SPEAKER: That will take us beyond 2.30 and, then, there is the Appropriation Bill and honourable and redoubtable members like Shri S. M. Banerjee and Shri Madhu Limaye have given notice that they would like to make submissions at the time of the Appropriation Bill on certain points, which is their right. If that is taken another half an hour will go. Is it realistic to say that we can take up this Resolution at 2.30 p.m.? Then there is the Bonus Bill, it is important to pass it. Whenever we do something let us be realistic. I am entirely in the hands of the House and that is why I seek your cooperation and put the problem to you. Let us collectively take some decision that is realistic. I just cannot do it on my own. I am very sorry that the hon. Minister for Parliamentary Affairs has put the whole burden on me, knowing full well that this is not possible; he

[Mr. Deputy-Speaker]

says, there are so many names, and then he says, do what you like....

PROF. MADHU DANDAVATE: Normally he points out a way, today only he is so....

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, you kindly fix any reasonable time; apply the guillotine. That is all my submission. What else can I say? You kindly fix any reasonable time and apply the guillotine.

MR. DEPUTY-SPEAKER: I am very happy that at least some positive suggestion is made by the Minister for Parliamentary Affairs. He says, you can apply the guillotine. Then, with his consent, I will call the Minister now and that means a guillotine. The Hon. Minister.

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): Sir, I have listened to the debate very carefully. And, I must thank hon. Members who have participated in the Debate.

Sir, my intention is not to go into the various problems and the various questions which have been raised. And, I will take up only three questions, namely, Finance, Performance, and Industrial Relations. Regarding the other questions which have been raised, I think, it will not be possible for me to cover all the points within the short span of half an hour.

At the outset, I would like to refer to some small points raised by hon. Members. Shri Azad said that we could have been able to avoid the strike if we had not negotiated with the locomen in last May or so. Mr. Azad is correct that we should not have any negotiation on category-wise basis. So far as the principle is concerned, I am in agreement with him, but, Sir, my experience has been this. If we had not settled the locomen struggle in last May or June, we would not have been able to face this strike in the manner we have done. The locomen stood by us and it was because of them that we could fight the situation.

Sir, about the question of 'Loss on New Lines' my principle has been enunciated and I will say about it later.

About Gauhati Mail, he wants it to be made more frequent. This train has proved to be very popular. And I thank Mr. Azad who has brought forward this suggestion, and I will look into it, and see if it can be made more frequent and this area gets this facility. Sir, Kiul and Sahabganj doubling will be difficult at this stage because of lack of finance.

Then, regarding railway lines construction in Madhya Pradesh, I am fully aware of the problem. He raised the question earlier also. Orders for survey have been issued. Economically it is said that it will not be viable. But, as you know, it has been my considered view that we should not go only by the economic considerations; a line which is not economic today might prove, and my experience has been, it has proved, economical next year. Therefore, it is one of the main considerations that we should provide facilities first and wait for the result.

As I have said earlier, I believe in this principle, power and transport create their own demands. It is not necessary for us to say that we should know what we will get in the first year. The moment we provide transport and power, the area develops, industry comes, and then, in a few years' time, the railway line, the transport and power system etc., become economical and rather, profitable also. Therefore, I say, I still stick to that principle and I am not going to change that. About certain district railway line which Mr. Ranabahadur Singh mentioned, there will be some line, but at this stage, I cannot make any positive commitment. We have to get clearance from the

Planning Commission and Finance also, but in principle, I accept.

Then, Sir, a question has been raised in very strong language about the rise in fares. Sir, it is not done as has been painted. We are raising the fares and freights.

It is for the first time that in a supplementary budget such at big rise has been made. I confess this that I have been compelled to do that. If I did not act like this, it would have been impossible to run the Indian Railways. I might say for the information of the hon Members as to how many people will be affected by the rise in fares How many people are travelling by the Railways? Our calculation is (*Interruptions*) that about the 72 per cent of the people who travel by the Railways are exempted from the rise in fares. In this way, the computers constituting nearly 50 per cent. of the railway passengers are not being asked to pay the higher fares as also the passengers travelling by ordinary II class from 1 k.m. to 25 k.m constitute about 49.27 per cent of traffic in non-suburban areas If you put these two together, the travelling computers and the railway passengers travelling upto 25 k m. to 72 k m, 72 per cent passengers are exempted. It is a fact that 28 per cent of the people will have to pay a higher fare. And there is no doubt about it.

I would come to the proposal of the new lines a little later. Members felt concerned about Railway Finances. Also the same has been raised here and outside in newspapers as well as in economic journals saying that in a year's time or two year's time, the finances of the railways have been ruined It is not fair to say this about the functioning of the railways. I would like to go into the history of it in a few minute's time as to how we have landed ourselves into this situation. The members were concerned about the railway finance. And I share their anxiety equally, Sir, it is with much hesitation and. after a great deal of deliberation, that I have approached the House with the proposals for increases in fares and freight rates within a few months of the presentation of the annual Railway Budget. I have, however, been compelled to do so because railway finances are indeed in a state of crisis. But, I must say, Sir, that it has not happened overnight.

The genesis of this crisis can be traced to the year 1964-65 when railways could not raise adequate resources for their Development Fund Works The position further deteriorated from 1966-67 onwards and the Railways could not meet fully even their annual dividend liability to the General Exchequer. The accumulations of Rs 100 crores at the end of 1963-64 in the Revenue Reserve and Development Funds were not only wiped out but the Railways had to obtain loans from General Finances from year to year The indebtedness of the Railways to the General Revenues stood at Rs. 110 68 crores at the end of 1972-73 and would exceed Rs 200 crores at the close of 1973-74. It must be appreciated that this parlous state of railway finances has not come about during any single year but is the result of a number of factors which have operated during the last decade to the disadvantage of the Railways I shall now explain these briefly The fortunes of Railway Finances cannot be isolated from the state of National Economy. The physical performance of Railways, as reflected in the volume of traffic carried by it, is crucially dependent on the overall pace of economic expansion.

The financial performance of the Railways is affected not merely by the rate of general economic growth but also by the rate of inflation in prices, particularly the disparity between the rate of increases in fares and freights on the one hand and that of wages and prices of inputs on the other

The House would be interested to know that over the 5 years ending in 1966-67, there was a welcome rise of 30.6 and 31.8 per cent respectively, in the tonnage and net tonne kilometrage of revenue earning during freight traffic. During the next 5 years, how-

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ever, tonnes originating increase by a mere 3.7 per cent and the net tonne kilometrage by only 17.7 per cent. The originating tonnage recovered by 3.1 per cent in 1972-73 but it dropped by as much as 7.3 per cent. in the year 1973-74, year after year, in a big way.

The staff costs of the Railways, which constitute the major portion of Working Expenses, have been steeply rising due to increases in Dearness Allowance, interim reliefs recommended by the Pay Commission, enhancement in the rates of running, night duty and city compensatory allowances, awards of the Railway Tribunals and implementation of the Third Pay Commission's recommendations, etc.

As a result, staff costs, which stood at Rs. 518.8 crores in March, 1973, reached Rs. 627.4 crores in March, 1974. They are now expected to touch Rs. 841 crores by the end of March, 1975, without taking into account further increases in the rates of Dearness Allowance which may be sanctioned after April, 1974. Consequentially, the share of wages and salaries in the overall working expenses of the Railways has shot up from 60 per cent to 70 per cent in two years

The increase since 1961-62 in the cost of other inputs like coal has been 245 per cent, mineral oils 383 4 per cent, electricity 179 per cent, iron and steel 275.2 per cent and cement 183.2 per cent. Thus since 1961-62, our working expenses have gone up by 370.3 per cent. On the other hand, even after including the effect of the proposals which I have outlined in my budget Speech, the fares and freight rates would go up by 182.7 and 181.2 per cent respectively during the corresponding period. It will, therefore, be seen that the percentage increase in freight and fare structure is only half the rate of the increase in our working expenses.

I have given considerable thought to the manner in which this shortfall can be made good.

The options before me were either to pass on the total burden to the General Exchequer in which case the entire community would have had to pay by way of increased taxation or that the burden should be borne only by rail users. I have chosen the middle path after considerable thought and deliberation. Even here I had to adopt a balanced and composite approach. I have therefore proposed to raise additional revenues to the extent of Rs. 140.07 crores—an amount equal to the anticipated drop in earnings. In proposing these increases, I have kept the socialistic approach and the interest of the common man in mind. Accordingly—

(i) foodgrains, pulses, edible oils, milk and vegetables—which constitute a substantial portion of common man's family budget—have been exempted from the proposed increases. I propose to exempt salt and gur also.

(ii) short distance travellers up to 25 Kms. by ordinary second class and commuters holding second class season tickets have been left untouched. These people are mostly students, wage earners, office going staff and small self-employed persons, etc. Thus, nearly 72 per cent of the rail passengers will not be affected by my proposals.

Hon'ble Members will appreciate that the Railways are passing through a period of crisis and require sympathetic understanding and a helping hand.

We have not only to intensify economy in expenditure by creating an atmosphere of austerity all around but devise ways and means of carrying a higher level of traffic by more intensive utilisation of assets, increased productivity and improved quality of service. With the object of generating a new sense of awareness, I have made it clear to the higher management on the Railways that every officer, right from the Member of the Railway Board down to the lowest

level should put in his very best and that his performance would be solely judged on the basis of actual achievement of the tasks entrusted to him.

I here also decided to fix individual responsibility for every laps and failure. The erring officer will have to bear the consequences.

Sir, I will come to the question of new railway lines. It has always been said that North Bihar and Eastern UP are being given more railway lines. I will reply to this question. It has to be explained. North Bihar and Eastern UP are the poorest parts of the country with perhaps the lowest *per capita* income. The entire region has been devastated for decades by the floods of the Kosi and Gandak which have been shifting their courses every year, washing away the towns, villages, railway lines, roads, industries and even the agricultural fields, thus wiping out all the development which had taken place in the past This has also acted as a deterrent to investment for the development of new industries in the region. After Independence, however, both the rivers have been trained and the area has become comparatively free from the menace of floods. The soil of North Bihar and Eastern UP is fertile and is suitable for cultivation of cash crops like jute, sugar and tobacco in addition to paddy, wheat and other cereals and pulses etc There is tremendous scope for development of agro-industries in the area. Therefore, priority treatment has been given to these areas along with the hilly regions. I will give the allotment which I have made for the different areas. On pressing demand for the construction of a railway line in the hilly region of Himachal Pradesh—Mr. Parashar, this is for you—I propose to take up Nangal-Talwara railway line some time this year, Sir. Now, I would like to inform the House what is the allotment made for each region for new lines and gauge conversion. This will make it clear, whether Eastern UP and Bihar have received any favoured treatment compared to the other parts of the country.

(Rs. in crores)

North Eastern Region	33·00
West Bengal	22·70
Bihar	32·65
U. P.	65·25
Jammu and Kashmir	14·02
Haryana	8·41
Rajasthan	2·79
Gujarat	45·78
Madhya Pradesh	10 51
Orissa	49·9
Maharashtra	33·30
Andhra Pradesh	33·71
Mysore	44 62
Kerala	15·30
Tamil Nadu	12·54

Bihar and Eastern UP have not received any favoured treatment from our hands although they deserve very much because of the past sufferings of the people in these areas.

PROF. NARAIN CHAND PARASHAR. What about Himachal Pradesh?

SHRI L N. MISHRA I told you. You did not hear. Sir, a question has been raised that the maintenance of our coaches, wagons and locomotives has been very bad and it compares very poorly with the standard of maintenance in other parts of the world. I have tried to make some study into this and I would like to inform the House that the standard of maintenance of our coaches and locomotives is not as bad as is being made out by some persons. I had mentioned in my Budget Speech that during the last two years, on account of the widespread labour unrest, the maintenance of steam locomotives, diesel electric locomotives and carriages and wagons has suffered. In addition to our own labour problems, there was widespread law and order problem in the country. The year 1973 faced massive power cuts in various parts of the country which had seriously affected production in workshops, sick lines and loco sheds.

As regards the maintenance of coaches, there has been wide-scale vandalism specially in the Eastern region where organised thefts in trains of lighting equipment and other fittings have been going on.

With the improvement in labour conditions, I can now re-assure the House that we have embarked upon

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a crash programme to improve the maintenance of rolling stock. Intensive efforts made have increased procurement of spares, resulting in a striking improvement on the availability of diesel locomotives for meeting traffic requirements.

The restoration of normalcy has assisted the workshops in securing spares from trade, including industrial gases, and this has been reflected in many workshops, showing a rising trend in outturn. In an effort to speedily pull up the arrears of overdue overhaul of the wagon fleet, a redistribution of workload has been arranged. This will assist in gradually clearing up the arrears in a phased manner.

An intensive drive has also been launched to improve the conditions of coaches. This has been done by personal inspection not only by Railway Board officers but also by the concerned officials of the Zonal railways. In addition, steps have been taken to provide better security to prevent theft and vandalism.

Earlier some statements had been made saying that the utilisation of our locomotives, coaches, wagons, etc. was only 60 per cent or so. This is not correct. On an average our performance is about 85 per cent and it compares favourably with the performance in any country of the world. We maintain this standard in spite of many hardships and difficulties which the advanced countries have not.

In respect of coal loading, I am glad to inform the House that after several months of labour agitations, interruptions to work etc...., culminating in the All India strike in May, 1974, which was of unprecedented magnitude, the Railways have made a rapid recovery. This is reflected in the all round improvement in the loading performance.

Coal loading which averaged only 7300 wagons per day in the six months ending May, 1974, showed a vast improvement and in the full month of August we have loaded an average of 8200 wagons per day. In the Central India Coalfields serving the Western Sector, a record level of loading was achieved at 1200 wagons per day in August. In the outlying coalfields like Singareni, Pench and Chanda, Assam etc., Railways are in a position to lift all the coal offered for movement. In the Bengal and Bihar coalfields also, the transport capacity is adequately matched presently with the coal offered for movement.

Movement of coking coal and washed coal to steel plants is being fully met. The coal loading in the Bengal and Bihar coalfields can be improved to much higher levels if some of the customers, both in the private and public sector, cooperate and reduce the detentions to loaded wagons by improving their handling capacities and releasing them promptly Recently, we are faced with the problem of large-scale immobilisation of loaded wagons on account of poor releases by some of these consumers We appeal to them to help the Railways serve better the needs of the community in general.

Railways have been successful in moving 16·4 lakh tonnes of finished steel between June and August, 1974 Not only the current production of the steel plants has been cleared but a further 1.2 lakh tonnes of material was moved thereby reducing the ground stocks, which were tending to rise in the disturbed months preceding the strike

All the demands for the movement of imported and indigenous foodgrains and fertilisers are being met currently There is also a sizeable improvement in meeting the demands for movement of other general goods The Railways have been able to lift an additional 3 million tonnes of traffic in the last 3 months as compared to the corresponding period of last year. Only in the case of movement of POL, there has been a perceptible drop in the demand which has resulted in under-utilisation of some of our assets.

I want to assure the House that I I am very confident that the Railways are geared up now to meet the various

demands for movement of traffic and with the various demands for movement of traffic and with the cooperation of our customers, we hope to achieve this objective. There must be an earnest consciousness on the part of the consignor and consignee that Railway wagons must be loaded and unloaded promptly and not detained or misused. Such delays and misuse which seriously reduce the Railway's capacity to lift traffic has been causing us much anxiety. Unfortunately, demurrage and wharfage levied by the Railways are not proving sufficiently deterrent.

Demurrage is a charge levied after the expiry of the free time allowed for loading or unloading of the wagon. It is ment to be a deterrent against undue detention to wagons and against their misuse for purposes of storage.

Wharfage is a charge levied on goods unloaded and not removed from the railway premises after the expiry of the free time allowed for such removal. It is meant to discourage the consignee from using the railway goods shed and premises as warehouses.

The rates of demurrage and wharfage charges were made more stringent from December, 1972. At the revised rates, demurrage charge on a four-wheeled broad gauge wagon works out to Rs. 134 at the end of the first day, Rs. 296 at the end of the second day and Rs. 510 at the end of the third day. In the case of vegetable oil tank wagons it works out to Rs. 322 on the very first day. These rates are sufficiently deterrent keeping in view the fact that the gross earning capacity of a BG wagon per day is about Rs. 52 currently. Similarly wharfage charge payable at a large station on a full wagon load consignment works out to Rs. 112 at the end of the first day, Rs. 246 at the end of the second day and Rs. 470 at the end of the third day.

As a result of increased rates, the total amount of wharfage and demurrage charges collected during 1973-74 went up to Rs. 22.4 crores as compared to Rs. 17.91 crores in 1972-73 and Rs. 15.3 crores in 1971-72.

A question may well be asked why these charges should not be enhanced further as heavy detentions to goods in wagons in goods-shed and premises is continuing. Members would realise that any further increase may have a punitive effect on the consumer instead of the trader, who would pass on the penalty to the consumer by way of increase in prices. We are, therefore, considering the amendment of the Indian Railways Act and other rules so that such goods either in wagons or unloaded in the goods shed premises not taken delivery of, as come in the way of uninterrupted transport by rail, are taken over by the State Governments or other agencies, as the case may be for disposal.

I come to industrial relations. When the strike started, it was found that out of about 14 lakhs of railway employees, about 8.5 lakhs employees stuck to their post and it is only the minority that joined the strike and that too as a result of intimidation and violence. Even out of those who took part in the strike in the earlier period, the majority came back to duty while the strike was going on. This supports the information that we had that intimidation and violence played a great part in preventing employees from going to work.

As the strike started, there were a large number of sabotage cases all over the Indian Railways. It is only because of the vigil exercised by the various forces, like the Border Security Force, the State Government Police, the Railway Protection Force, Home Guards and others that untoward incidents could be avoided and the safety of the travelling public assured. Employing all these forces to protect the railway, to prevent sabotage and to protect the lives of the travelling public and the willing workers, cannot be construed as a repressive action. On the other hand, if the Government had not taken necessary steps and the public life was endangered it would

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have been a failure on the part of the Government. When the nation's economy and the public life is in danger, the Government had necessarily to take appropriate action.

Before the strike started, there was large-scale intimidation and violence let loose in various railway centres and colonies and there were reports of preparations for sabotage. In view of this, Government had to take appropriate action and preventive arrests had to be made. A number of employees had also to be dismissed or removed from service, for their violent activities before and during the strike. This had to be done as otherwise the safety of a large number of staff who stuck to their duties and the safety of the travelling public would have been jeopardised. The latest position regarding the staff who were arrested, removed from service, etc. is given below:

No. of staff arrested--19883.

No. of staff released--19858.

No. still to be released--only 25.

No. of staff taken back to duty out of those released from detention--16239.

No. of staff dismissed, removed or whose services were terminated--16749.

The number so far taken back to duty out of those dismissed or removed or service terminated is 8,090. It is a continuing process. Their appeals should be heard and then they will be taken back. The casual labour discharged is 18,883 and the casual labour taken back to work so far is 10,427. Here also the process is going on. The railway staff who got a break in service as a consequence of their participating in an illegal strike is 5.91 lakhs. Out of this the number of railway staff whose break in service has been condoned is about 2 lakhs.

Individual appeals from staff are being reviewed sympathetically and so far a large number of staff have been reinstated or their break in service condoned. This is a continuing process and the railway administration is doing everything possible in this matter.

As regards casual labour, on taking them back, they do not get their temporary status. This is because of the fact that their continuity of employment has been interrupted by their going on illegal strike, and therefore they have to start afresh. Of course, after a period of four months, if they work continuously on the open line they will again regain their temporary status. The Industrial Disputes Act also makes it clear that employment of a casual labour can be considered continuous only if they do not go on illegal strike.

Shri S. M. Banerjee, M. P. has raised the issue of non-reinstatement of railway employees who participated in the strike. Railway employees have been dismissed or removed from service not merely for participation in the strike, but for specific offences against the law of the land. However on their individual appeals, depending upon the extent of their offence, a lenient view is taken and they are put back to duty on the merits of the case.

We have already taken back to duty about 50 per cent on consideration of individual appeals. I have also directed the railway administrations to see that individual appeals are considered sympathetically and expeditiously. I have now set them a general target of about six weeks from the time of receipt of the appeal to consider it and come to decision and communicate the same to the employee.

Some of the opposition members have referred to the judgment by the Calcutta High Court in respect of certain employees who had filed writ petitions. In one case where certain number of employees had filed writ peti-

tions, the learned judge has given judgment. This judgment has upheld the right of the railway administration in taking action under rule 14(ii) of the Railway Servants Discipline and Appeal Rules, 1968. However, in the specific case of these employees, the learned judge has quashed the dismissal order on the ground that the reasons given are not adequate.

Since important issues are involved, the judgment is under study and action will be taken by the Government on the basis of legal advice.

Shri S. M. Banerjee has raised the question of funds for payment to the employees who are put back to duty. All the establishment charges for the staff in position on 1.4.1974 have been provided in the original budget. As such, there is no requirement for additional funds to pay the employees already put back to duty or who will be put back to duty in the course of the year.

The discipline has been restored on the railways and the staff at all levels are putting in their best effort. There has been a steady improvement in the matter of loading of coal, steel and other essential commodities.

Reverting back to the break in service. Shrimati Parvathi Krishnan was most veciferous that the break in service should be condoned. I may assure her that this question will be looked into again as sympathetically as possible, of course within the ambit of the law, and I hope that justice will be done to the people, although they erred at the time of the strike.

The punctuality in trains is steadily being improved. For the week ending 31st August 1974, that is, about ten days back the punctuality was as follows. In the Central Railway it was 87.5 per cent, in Eastern 41.3 per cent, in Northern broad gauge 89.9 per cent and metre-gauge 90.5 per cent, in the North-eastern broad-gauge 87.0 per cent, metre-gauge 83.8 per cent and in the North East Frontier broad-gauge 9 per cent and metre-gauge 42.2 per cent and in Southern Railways broad-gauge 39.3 per cent and metregauge 87.8 per cent. In the case of South-Central Railway, the figures for broad gauge and metre gauge are 97.3 and 95.4 per cent. respectively. In South-Eastern Railway, it is only 40.5 per cent; in Western Railway, the figures for BG and MG are 89.2 and 82.6 per cent.

I would assure the House that, so far as the cases of casual and striking workers are concerned, they will be looked into with as much sympatny as possible but never at the cost of those dedicated workers and officers who stood by us at the time of crisis; they will get better treatment and the assurances will be implemented in the case of those dedicated workers who stood by us in difficult times. *(Interruptions)*.

MR. DEPUTY-SPEAKER: Order, please. I can understand members on the side of the House being dissatisfied and seeking to seek more clarification. But I do not understand why members on this side are excited....

SHRI MD. JAMILURRAHMAN (Kishanganj): We also want to seek certain clarifications.

MR. DEPUTY-SPEAKER: Order, please. Instead of losing more time in raising our voices and competing in lung power, I think it is much better if I allow members to ask one or two questions. But they should not make speeches. We have not lost all chivalry yet and, therefore, I will give the ground first to the lady member.

Shrimati Parvathi Krishnan.

SHRIMATI PARVATHI KRISHNAN: I would like to seek clarification from the Minister on two issues that I have raised. First, I had asked the Minister to consider going into the question of the financial working of the Railways and he has, in his reply, indicated that the instability of the railway finances

[Shrimati Parvathi Krishnan]

and the shambles in which they are have a long history. What does he propose to do about them? (*Interruptions*). The Government has woken up to the position that there has been a steady deterioration. Then, there is something wrong in the State of Denmark. What is going to be done about it?

The second clarification is on the issue of victimisation. He says that the process has started and he has given a six-week limit. Six-week limit from when? These appeals have been lying with the railway authorities for much longer than six weeks already. Therefore, we want these appeals to be dealt with here and now, within the next 24 hours or 72 hours at the latest.

Lastly, Sir, he has talked about operational efficiency on the question of steel. The Steel Ministry have said that it has touched a record accumulation, on 1-6-1974, of 550,000 tonnes in the intergrated steel plants, and there is a serious problem of shortage of wagons. I would like him to clarify that position.

SEVERAL HON MEMBERS *rose*

MR. DEPUTY-SPEAKER: If all of you want to put questions, you are welcome. But, I pity the Minister of Parliamentary Affairs.

श्री मुहम्मद जमीलुर्रहमान (किशनगंज): मैं मोहतरिम वज़ीर से इस बात को जानना चाहता हूं जो डेडिकेटेड और लायल वर्कर्स थे जो स्ट्राइक के वक्त में स्टुड बाई किए उनके बाल बच्चों के साथ स्ट्राइकर्स ने, जैसे किसी नौजवान बच्चे के चेहरे पर एसिड फेंक दिया या किसी के हाथ तोड़ दिए, किसी के पैर तोड दिए तो इस सिलसिले में क्या रेल मंत्रालय को मालूम है कि ऐसे कितने केसेज इंस्टीटयूट हुए और वह केसेज किस स्टेज पर हैं और जिनको ऐसी तकलीफ पहुंची है उनके लिए रेल मंत्रालय ने क्या मदद की है ?

SHRI DINEN BHATTACHARYYA (Serampore): My first point had already been put here in this House only two weeks ago in the presence of the Prime Minister by Mr. Somnath Chatterjee who referred to a case where an employee who was in jail under MISA for two years, was charge-sheeted and victimised for taking part in the strike and charged with provoking and instigating other workers to take part in the strike. What have you done in that case about which the Prime Minister herself gave an assurance that it will be looked into?

My second question is a very simple one The Railway Board gave an assurance to the people of West Bengal that the Howrah-Amta railway line will be opened and it will be a broad-gauge line. The Prime Minister was very sympathetic and she had also laid the foundation stone for starting the railway in broad-gauge. But what has been done in that regard? No money is sanctioned here. Is it only a stunt or are you really very serious about it?

MR. DEPUTY-SPEAKER Now, this will be your third question.

SHRI DINEN BHATTACHARYYA: My last point is about the light railway at Arah-Sasaram in Bihar. It is on the point of collapse. A representation was made by myself to the Railway Minister and he assured me that he would look into the matter. What have you done about it till now?

MR. DEPUTY-SPEAKER: Now, the right hon. Member with a strong voice on my right.

श्री नागेन्द्र प्रसाद यादव : मैं आप के द्वारा रेल मंत्री से जानना चाहता हूं .....

SHRI S. M. BANERJEE: Will you kindly ask the hon. Member to go to his seat and speak from there?

श्री नागेन्द्र प्रसाद यादव : मैं आपके द्वारा रेल मंत्री से जानना चाहता हूं क्या रेल मंत्री का, नरकटियागज से पहलेजाघाट वाया दरभगा सीतामढ़ी, निकट भविष्य मे एक एक्सप्रैस गाड़ी चलाने की योजना है ? यदि हा, तो कब से ?

दूसरे मै जानना चाहता हू क्या दरभगा से नरकटियागज वाया सीतामढी बडी लाइन बनाने की कोई व्यवस्था है ? **(व्यवधान)**

मै आपके द्वारा मत्री जी से यह भी जानना चाहता हू कि दरभगा मे नरकटियागज बार्डर एरिया मे है, वहा से 8 मील, 2 मील, 5 मील नैपाल का बार्डर है अत क्या निकट भविष्य मे दरभगा से नरकटियागज बडी लाइन ले जाने की व्यवस्था मत्री जी करेगे या नही ? यदि नहा, ता उसके क्या कारण है ?

MR. DEPUTY-SPEAKER: What is your point of order Mr. Mavalankar?

SHRI P. G. MAVALANKAR (Ahmedabad): I am sorry I am not able to speak in the same voice I thought you had permitted certain clarifications to be sought by Members and I thought therefore that only these Members whom you had called to speak in the debate which just ended would ask questions But, I find that even those who did not make a speech are also asking questions. (*Interruptions*).

MR DEPUTY-SPEAKER: Order, please. I have never said that only those who made speeches will ask questions. As a matter of fact, if we were to go strictly by conventions, then those who have made speeches should not ask questions Now I see that their numbers keep on increasing. And each time I turn my eyes this side, instead of two, there are four or five and when I turn my eyes to that side, instead of two, there are three or four. As I say this is the last day. I would very much wish that at the end of it, we should part with some kind of pleasentness, with some kind of a spirit of comradeship and all that and that is why I do not want to shut out anybody. But, on the other hand, Members should also have some restraints. We have plenty of business in front of us. I have made this appeal before. If you want to do that, I shall go along with you and the consequence is that the House will have to take it collectively.

Now, may I make this suggestion that only one Member from one group about the Congress Party, I cannot make that because they are one-thirds in the House and therefore it would not be fair to equate them as one group So, we shall make that difference About the Opposition what I am saying is this If one member from the group or party asks one question the second member from that group and the party may not ask another question Now, Mr. Bade

SHRI R V. BADE (Khargone): Sir, there are 15 persons under dismissal and 17 persons under suspension and fifty persons' services are under termination There are 2,000 cases pending in whose cases break in service is not condoned 350 cases are pending in courts. In M P. there is a proposal to levy professional tax. But, in Baroda (Gujarat) there is no professional tax levied by them. I want to know why in M.P. professional tax is levied on railway servants whereas in Gujarat, the same is not levied and the employees are exempted from payment of professional taxes. The same yardstick should be applied here too.

श्री शंकर दयाल सिंह : उपाध्यक्ष जी, चतरा और हजारीबाग के रास्ते गया से बरकाकाना तक बड़ी रेलवे लाइन बहुत दिनों से विचाराधीन है । इस सम्बन्ध में 1945-46 में सर्वे हुआ था और उस सर्वे के अनुसार मैं जब से इस सदन में आया हूं,

[श्री शंकर दयाल सिंह]

पिछले तीन साल से यह मामला भी उठा रहा हू । मैं मंत्री महोदय से यह अनुरोध करना चाहता हू कि 1945-46 मे चतरा और हजारीबाग के रास्ते से गया से बरकाकाना तक रेल लाइन का जो सर्वेक्षण हुआ था उसका पुन: सर्वेक्षण करायें और जो आपने पत्र लिखा है कि 27 करोड़ रुपया खर्च होगा तो कम खर्च का कोई रास्ता निकाल कर इस रेलवे लाइन को अपनी स्वीकृति प्रदान करे।

PROF MADHU DANDAVATE: Mr. Deputy-Speaker, Sir, I wanted to seek clarifications from the Minister on one point only. In this you, Mr. Deputy-Speaker, are also involved. In this House I raised this issue.

MR. DEPUTY-SPEAKER: Whenever I handle Railways I am always in trouble. Left to myself I would never travel by railways!

PROF. MADHU DANDAVATE: You might recall that I have raised the question in this House that after the Calcutta High Court had come out with a judgment in which they said that in violation of Art. 311 of the Constitution, illegally the services of railway employees were terminated, any such termination would be illegal and, therefore, they should be re-instated. I had raised this issue and you had commented that Government should take note of this submission made by hon. Members. I would like to know whether notice has been taken and what is the outcome?

15 hrs.

SHRI M. RAM GOPAL REDDY (Nizamabad): Sir, I want an assurance from the hon. Minister that he is not going to spend a single pie on the salaries and dearness allowance of the staff out of the funds which he has raised to the tune of Rs. 142 crores.

SHRI P. M. MEHTA: Sir, 2,500 workers will be thrown out of job if coal is not rushed to Bhavnagar. I would like to know whether the Minister will take any action to this effect.

SHRI L. N. MISHRA: Sir, Shrimati Parvathi Krishan has asked about the financial position of the railways. I have given the position but I agree with her that some vital exercise has to be made and the matter has to be gone into and some new methods evolved to improve the finances of the Railways. Sir, by six weeks I mean the date on which the appeal is received. The moment it is received it should be disposed of within six weeks. She asked what happened to those who appealed earlier I can only say that six weeks will be from today for those also. I will be happy if all the disputes are settled within six weeks These disputes run in lakhs. About steel I have already stated the latest position

Shri Jamilurrahman said about the plight of the dedicated workers. I spoke about them. Certain facilities have been provided to them and if something more has to be done we will not hesitate to do more for them. There are quite a large number of people who went on duty during the strike and they had to undergo torture and physical harassment.

Shri Dinen Bhattacharyya raised the question of the number of persons arrested under MISA. Only the other day I had said that that information is not with me. He has raised that question. At the moment, I do not have the information with me. If he likes, I will write a letter to him tomorrow. Shri Shankar Dayal Singh raised the question about the railway line Chatra-Hazaribagh. He wants that a fresh survey should be made. If he thinks that a fresh survey should be made, I will be only too glad to sanction the survey. Mr. Dandavate mentioned about the judgment of the Calcutta High Court. In my speech, I have already stated that we are

examining it. We are taking legal opinion. Only after this, we will be able to reach a decision.

श्री नागेन्द्र प्रसाद यादव : मान्यवर, मेरे प्रश्न का उत्तर मंत्री जी ने नहीं दिया।

श्री एल० एन० मिश्र : मैं भूल गया था। जहां तक दरभंगा से नरकटियागंज का सवाल है वह लाइन डबल नहीं हो सकती। दरभंगा तक ब्रोड गेज हो रही है और एक ऐक्सप्रैस गाड़ी चलाना चाहते हैं, उसको मैं देखूंगा कि नरकटियागंज से पहलेजाघाट वाया सोनामढ़ी ऐक्सप्रैस गाड़ी हो सकती है कि नहीं।

MR. DEPUTY-SPEAKER Now, there are a number of cut motions. Unless any hon Member wishes any particular cut motion to be put to the vote of the House, I will put all of them together.

SHRI S. M. BANERJEE Sir, I would like my cut motions Nos. 90 and 91 to be put separately to the Vote of the House

(Interruptions)

MR. DEPUTY-SPEAKER: Please understand what I am saying. Kindly sit down I am saying there are a number of cut motions, and if any Member wants any particular cut motion to be put separately to the House, I will do that. I will put others together. Mr. Banerjee has indicated that he would like cut motion Nos. 90 and 91 to be put separately to the House. Is there any other Member?

SHRI M. KATHAMUTHU (Nagapattinam): Sir, I would like to have my cut motion Nos. 151, 152 and 208 put to the vote of the House, separately.

SHRI P. M. MEHTA: Sir, I would like to have my cut motion No 95 to be put to vote separately.

SHRI R. V. BADE: Sir, I would like to have my cut motion Nos. 66 and 67 to be put to vote separately.

SHRI P. G. MAVALANKAR: Sir, I would like my cut motion No. 47 to be put separately and cut motion Nos. 51 and 63 together.

MR. DEPUTY-SPEAKER: I will put cut motion No. 47 by Shri Mavalankar to the vote of the House.

Cut Motion No. 47 was put and negatived

MR. DEPUTY-SPEAKER: I will now put cut motion Nos 51 and 63 by Shri Mavalankar to the vote of the House.

Cut motions Nos. 51 and 63 were put and negatived

MR DEPUTY-SPEAKER: I will now put cut motion Nos. 66 and 67 by Shri R V. Bade to the vote of the House.

Cut motions Nos. 66 and 67 were put and negatived

MR. DEPUTY-SPEAKER: I will now put cut motion No. 90 by Shri Banerjee to the vote of the House. The question is:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs 8,81,62,000 in respect of ordinary working expenses Administration be reduced by Rs. 100.

[Failure to re-instate all Railway employees who were discharged, dismissed and removed from service due to strike in May, 1974] (90)"

The Lok Sabha divided.

15.10 hrs.

AYES

Division No 26]

Bade, Shri R. V.

Banera, Shri Hamendra Singh.

Banerjee, Shri S. M.

Bhagirath Bhanwar, Shri

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish
Bhattacharyya, Shri S. P.
Bhaura, Shri B. S.
Chaudhary, Shri Ishwar
Chavda, Shri K. S.
Chowhan, Shri Bharat Singh
Dandavate, Prof. Madhu
Das, Shri R. P.
Deb, Shri Dasaratha
Gowder, Shri J. Matha
Haldar, Shri Madhuryya
Halder, Shri Krishna Chandra
Hazra, Shri Manoranjan
Horo, Shri N. E.
Huda, Shri Noorul
Kalingarayar, Shri Mohanraj
Karni Singh, Dr.
Kathamuthu, Shri M.
Krishnan, Shrimati Parvathi
Lalji Bhai, Shri
Limaye, Shri Madhu
'Madhukar', Shri K. M
Malik, Shri Mukhtiar Singh
Manjhi, Shri Bhola
Mavalankar, Shri P. G
Mayavan, Shri V.
Mehta, Shri P. M.
Misra, Shri Janeshwar
Modak, Shri Bijoy
Mody, Shri Piloo
Mukerjee, Shri H. N
Narendra Singh, Shri
Pandey, Shri Sarjoo
Parmar, Shri Bhaljibhai
Pradhan, Shri Dhan Shah
Ramkanwar, Shri
Ranabahadur Singh, Shri
Reddy, Shri B. N.
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sambhali, Shri Ishaque
Sen, Shri Robin
Sharma, Shri R. R.
Shastri, Shri Ramavatar
Shastri, Shri Shiv Kumar
Singh, Shri D. N.
Smha, Shri Satyendra Narayan
Vajpayee, Shri Atal Bihari

NOES

Aga, Shri Syed Ahmed
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ansari, Shri Ziaur Rahman
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Banerjee, Shrimati Mukul
Barman, Shri R. N.
Barupal, Shri Panna Lal
Bhagat, Shri B. R
Bhagat, Shri H. K. L
Bheeshmadev, Shri M
Bist, Shri Narendra Singh
Brahmanandji, Shri Swami
Brij Raj Singh-Kotah, Shri
Chakleshwar Singh, Shri
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chavan, Shrimati Premalabai
Chootey, Lal, Shri
Chutten Lal, Shri
Daga, Shri M. C.
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Daschowdhury, Shri B. K.
Dhusia, Shri Anant Prasad
Dinesh Singh, Shri
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Dumada, Shri L. K.

Dwivedi, Shri Nageshwar
Engti, Shri Biren
Gaekwad, Shri Fatesinghrao
Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gangadeb, Shri P.
Gavit, Shri T. H.
Godara, Shri Mam Ram
Gohain, Shri C. C.
Gomango, Shri Giridhar
Gotkhinde, Shri Annasaheb
Hansda, Shri Subodh
Hanumanthaiya, Shri K.
Harj Kishore Singh, Shri
Hari Singh, Shri
Jamilurrahman, Shri Md.
Jha, Shri Chiranjib
Joshi, Shrimati Subhadra
Kadannappalli, Shri Ramachandran
Kailas, Dr.
Kakodkar, Shri Purushottam
Kakoti, Shri Robin
Kale, Shri
Kamala Prasad, Shri
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kasture, Shri A. S.
Kavde, Shri B R.
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Lakshmikanthamma, Shrimati T.
Lutfal Haque, Shri
Mahajan, Shri Y. S
Mahata, Shri Debendra Nath
Majhi, Shri Kumar
Malhotra, Shri Inder J.
Mandal, Shri Jagdish Narain
Mishra, Shri Bibhuti
Mishra, Shri Jagannath
Mishra, Shri L. N.
Mohammad Yusuf, Shri
Mohan Swarup, Shri
Muhammed Khuda Bukhsh, Shri
Munshi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Naik, Shri B. V.
Negi, Shri Pratap Singh
Nimbalkar, Shri
Oraon, Shri Kartik
Oraon, Shri Tuna
Painuli, Shri Paripoornanand
Pandey, Shri Mamodar
Pandey, Shri Sudhakar
Pandey, Shri Tarkeshwar
Parthasarathy, Shri P.
Paswan, Shri Ram Bhagat
Patel, Shri Prabhudas
Patil, Shri C. A.
Patil, Shri T. A.
Patnaik, Shri J. B.
Pradhani, Shri K.
Qureshi, Shri Mohd. Shafi
Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Rajdeo Singh, Shri
Ram Dayal, Shri
Ram Prakash, Shri
Ram Sewak, Ch.
Ram Surat Prasad, Shri
Ram Swarup, Shri
Ramshekar Prasad Singh, Shri
Rao, Shrimati B. Radhabai A.
Rao, Shri Jagannath
Rao, Shri M. S. Sanjeevi
Rao, Shri P. Ankineedu Prasad
Rao, Shri Pattabhi Rama
Raut, Shri Bhola
Ray, Shrimati Maya
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Narasimha
Reddy, Shri Sidram
Roy, Shri Bishwanath

Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sanghi, Shri N. K.
Sankata Prasad, Dr.
Sarkar, Shri Sakti Kumar
Satpathy, Shri Devendra
Savitri Shyam, Shrimati
Sayeed, Shri P. M.
Sethi, Shri Arjun
Shafee, Shri A
Shahnawaz Khan, Shri
Shailani, Shri Chandra
Shankar Dayal Singh, Shri
Shankar Dev, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Dr. H P.
Sharma, Shri Madhoram
Sharma, Shri R. N.
Shastri, Shri Sheopujan
Shenoy, Shri P. R.
Shukla, Shri Vidya Charan
Siddheshwar Prasad, Shri
Singh, Shri Vishwanath Pratap
Sinha, Shri R. K.
Sohan Lal, Shri T.
Suryanarayana, Shri K.
Tayyab Hussain, Shri
Tewari, Shri Shankar
Thakur, Shri Krishnarao
Tiwary, Shri D. N.
Tombi Singh, Shri N.
Tula Ram, Shri
Tulsiram, Shri V.
Uikey, Shri M G
Verma, Shri Balgovind
Vidyalankar, Shri Amarnath
Vikal, Shri Ram Chandra
Yadav, Shri Chandrajit
Yadav, Shri D. P.
Yadav, Shri Karan Singh
Yadav, Shri N. P.
Yadav, Shri R. P.

MR. DEPUTY-SPEAKER: The result* of the division is:

Ayes 54: *Noes* 161.

The motion was negatived.

MR. DEPUTY-SPEAKER: I shall now put cut motion No. 91 to the vote of the House.

Cut Motion No. 91 was put and negatived.

MR. DEPUTY-SPEAKER: I shall now put cut motion No. 95 of Shri P. M. Mehta to the vote of the House.

Cut Motion No. 95 was put and negatived.

MR. DEPUTY-SPEAKER: I will now put cut motions Nos. 151. 152 and 203.

Cut Motions Nos. 151, 152 and 208 were put and negatived.

MR. DEPUTY-SPEAKER: I will now put all the other cut motions to the the House.

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*The following Members also recorded their Votes:

AYES: Shri Ram Hedov;

NOES: Shrimati Sheila Kaul and Shri Kushok Bakula.

All other Cut Motions were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That the respective Supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President to defray he charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of the following demands entered in the second column thereof—Demand Nos. 4 to 6, 8 and 10."

The motion was adopted.

[*The motion for Supplementary Demands for Grants which were adopted by the Lok Sabha are reproduced below—Ed.*]

DEMAND NO. 4—WORKING EXPENSES—ADMINISTRATION

"That a Supplementary sum not exceeding Rs. 8,81,62,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Administration'."

DEMAND NO. 5—WORKING EXPENSES—REPAIRS AND MAINTENANCE

"That a Supplementary sum not exceeding Rs. 23,20,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses-Repairs and Maintenance'."

DEMAND NO. 6—WORKING EXPENSES—OPERATING STAFF

"That a Supplementary sum not exceeding Rs. 20,16,47,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Operating Staff'."

DEMAND NO. 8—WORKING EXPENSES—OPERATION OTHER THAN STAFF AND FUEL

"That a Supplementary sum not exceeding Rs. 1,34,25,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Operation other than Staff and Fuel'."

DEMAND NO. 10—WORKING EXPENSES—STAFF WELFARE

"That a Supplementary sum not exceeding Rs. 2,91,66,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1975, in respect of 'Working Expenses—Staff Welfare'."

15.16 hrs.

APPROPRIATION (RAILWAYS) NO. 4 BILL*, 1974

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment

*Published in Gazette of India Extraordinary Part II, section 2, dated 9.9.74.

[Mr. Deputy Speaker]

and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways."

The motion was adopted.

SHRI L. N. MISHRA: I introduce the Bill.

I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways, be taken into consideration."

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways, be taken into consideration."

SHRI S. M. BANERJEE (Kanpur): Sir, I have heard the assurance given by the hon. minister. I only request him that he should see to it that it is not delayed further. Even today according to his figures nearly 10,000 permanent employees and thousands of casual labour who have completed more than 5 to 10 years of service are on the streets. I have in my hand a list of those whose services have been terminated in Kanpur alone. Out of 506 employees, only 172 have been taken back. Not even one officer of the union of the Allahabad Division has been taken back. I request him to accept my suggestion: All railway employees, whether permanent, regular, temporary or casual, who merely participated in the strike should be taken back immediately. Those who are charged with sabotage or violence should be suspended and not dismissed. In this country when very serious charges of corruption are levelled, we are not demanding the termination of service of those people. Even in this House, we are not demanding the expulsion or dismissal of Shri Tulmohan Ram, although it is said that he has taken money. In the case of those instances where there was violence or intimidation, let them be decided in a court of law. In all the cases the order of dismissal should be set aside.

Secondly, although we are not discussing the question of bonus, I would plead that the railway employees, the defence employees and the P & T employees should become entitled to bonus now that the report of the Bonus Committee has come.

Thirdly, it should be decided once and for all whether the railways is an industry or not. Now that the court has given a judgement in the matter, I hope it will be considered.

Lastly, if the hon. Railway Minister wants the industrial relations to improve, two employees of the railways should be taken in the Railway Board or, alternatively, the Railway Board should be abolished. I will conclude by renewing the request that those employees who have been dismissed from service for participating in the strike should be taken back.

श्री शंकर दयाल सिंह (चतरा) : उपाध्यक्ष महोदय, मैं एक निवेदनकरना चाहता हूं । डा० कर्णी सिंहजी हम लोगों के बीच आ गए हैं .....

MR. DEPUTY-SPEAKER: Order, order. Let us act in a matured manner. I do not really understand this. Reference was made to this once in the House. I only say that we should act in a matured manner as a matured nation.

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष जी, मैं दो सवाल पूछना चाहता हूं । पहली बात—पिछली हड़ताल के सिलसिले

*Introduced. Moved with the recommendation of the President.

में जितने कर्मचारियों के खिलाफ कार्यवाही को गई है उसके बारे में मुझे कहना है कि शीघ्र से शीघ्र उन तमाम कार्यवाहियो को वापस लिया जाय । मैं यह भी कहना चाहूंगा कि ईस्टर्न रेलवे के दानापुर डिवीजन मे 2 हजार से अधिक कर्मचारियों के खिलाफ कार्यवाहिया की गई । जहा तक मेरी जानकारी है सबसे कम लोगो को वहा डयटी पर लिया गया है । इंडियन रेलवे वर्कर्स फेडरेशन के 55 आफिस बेयरर्स और एग्जीक्यूटिव के मेम्बर है जिन मे सब के सब रेलवे एम्प्लाई है, इन मेसे 53 के खिलाफ कार्यवाही वापस नही ली गई है । केवल दो को वापस लिया गया है । तो यह पता नही आपका काम किस तरीके से चल रहा है और इस तरह से चलेगा तो आप रेलवे के अन्दर शाति व्यवस्था कायम रखने मे कामयाब नही हो सकेंगे ।

दूसरी बात मै कहना चाहता हू कि सरकार कहती है कि अर्थाभाव के कारण रेल किराया बढाना पडा । मैं यह कहना चाहता हू और बार बार मैने इस सवाल पर चर्चा चलाई है—भ्रष्टाचार और फिजूलखर्ची रेलवे के अन्दर बहुत बढ गई है । मै उसका एक नमूना देना चाहता हूं । दानापुर मे जून के महीने मे अफिसर्स क्लब का एयर कडीशन कराया गया और जब मैने सवाल पूछा तो 21 अगस्त का जवाब दिया गया कि और जगह नही कराएंगे । दानापुर मे जो एयर कडीशन हुआ है उस पर 30 हजार रुपया खर्च हुआ है । मैंने यह भी पूछा था कि क्या एयर कडीशन कराया गया तो उसका कोई जवाब नही दिया गया मुझे खबर मिली है कि मत्री महोदय के लड़के की शादी थी और उस शादी के मौके पर वहा बारात रखने के लिए या नवदम्पती को रखने के लिए या स्वयं मत्री जी को रखने के लिए एयर कंडीशन कराया गया । यह फिजूलखर्ची है या नही ? भ्रष्टाचार है या नही ? उसी तरीके से जब ये पटना जाते हैं तो पटना में नही उतरते । जनता से इनको घबराहट है । वे दानापुर मे उतरते है । स्पेशल सडक बनाई जाती है । क्या यह फिजूलखची है या नही ? डा० राजेन्द्र प्रसाद हमारे देश के प्रथम राष्ट्रपति, दूसरे राष्ट्रपति राधाकृष्णन जी और पडित जवाहर लाल नेहरू हमारे प्रधान मत्री जब मुगलसराय जाते थे तो पुल चढ़ कर के पार उतरते थे । मै मुगलसराय से आज ही आ रहा हू । कल मै वहा गया था । वहा मालूम हुआ कि जब ये जाते है तो इनके लिए स्पेशल सड़क बनती है नीचे नीचे जिस मे ये प्लेटफार्म पर से हो चले जायें, ऊपर न जाना पडे । मैं इसलिए यह सवाल उठा रहा हू कि ये तमाम बाते फिजूलखर्ची है या नही ? दानापुर के डी एस एक एक आदमी की बहाली मे ढाई हजार तीन हजार रुपया लेते है । इसकी जानकारी रेलवे बोर्ड की है मंत्री जी को है । भ्रष्टाचार के सवाल को सरजू पाण्डेय जी न उठाया, उसका आज तक जवाब नही दिया गया । तो मै समझता हू कि जब तक वर्तमान चेयरमैन और मत्री जी है तब तक रेलवे की हालत नही सुधरेगी । दोनों को हटाया जाना चाहिए, डिसमिस किया जाना चाहिए ।

श्री मधु लिमये (बाका) : उपाध्यक्ष महोदय, रेल हडताल के दिनो मे एक स्टीम लोकोमोटिव के ड्राइवर को जो हड़ताल पर नही था बोर्डर सेक्योरिटी फोर्स ने आगजनी के केस मे कैसे फास दिया इसकी कहा नी मे बयान करना चाहता हू । इस ड्राइवर के ऊपर इल्जाम है कि इसने एक शावेल में जलता हुआ कोयला भर कर बी० एस० एफ० के टैंट पर फैंका जिसके चलते टैंट भी जल गया और टैंट मे जो ऐम्यूनिशन था वह भी नष्ट हो गया । यह आरोप है उसके ऊपर । ड्राइवर को गिरफ्तार कर जेल मे रखा गया ।

[श्री मधु लिमये]

सत्य तो यह है कि एक बी० एस० एफ० के सिपाही ने सिगरेट का जलता टुकडा टैंट मे फेका था जिसके चलते टैंट जल गया और ऐम्यूनिशन भी नष्ट हो गया। लेकिन दोष बेचारे ड्राइवर पर थोप दिया गया। यह घटना करवी स्टेशन के पास बेतवा नदी पर जो पुल है उसकी रक्षा के लिये बहाल किए गए बी० एस० एफ० के यूनिट मे हुई। यह स्टेशन मध्य रेलवे के झासी मानकपुर रेलवे लाइन पर है। इसलिये मे मजदूरो से कहूगा कि जब हडताल का आवाहन किया जायेगा तो चुपचाप हडताल पर जाइये क्योकि लायल वर्कर बनने का नतीजा क्या होता है यह मैंने अभी आपको बताया। मत्री महोदय से मे इसकी सफाई चाहता हू।

दूसरी बात—जो रेल कर्मचारी 1 मई की मध्य रात्रि मे पकडे गये थे उनके बारे मे मत्री महोदय ने यह आश्वासन दिया था जब हमारा डेलीगेशन मिला था, कि जो 1 मई को पकडे गये थे उनके द्वारा हिंसा होने का या सैबोटेज होने का कोई मामला ही नही उठ सकता है। सैबोटेज क्या इटीमिडेशन का भी सवाल नही आ सकता। इसलिये ऐसे सभी रेल कर्मचारियो को काम पर वापस लिया जायेगा। कल मै अटल जी के ग्वालियर मे गया था तो एक रेल मजदूर से मुलाकात हुई। उसका नाम नूरल है। 1 मई की मध्य रात्रि को उसे गिरफ्तार किया गया था और अभी तक उसको काम पर वापिस नही लिया गया। उसको और उसके जैसे कर्मचारियो को और यूनियन के जो पदाधिकारी है उनको जब रेलवे बोर्ड के बेरी साहब मिलते है या डिवीजनल सुपरिन्टेंडेंट मिलते हैं तो सब एक आवाज मे कहते है कि जार्ज फरनान्डीज को मध्य रेलवे की यूनियन से और आल इंडिया रेलवे मेन्स फेडेरेशन के प्रेसीडेंटशिप से हटा दीजिये, सबको काम पर लिया जायेगा। बेरी से लेकर डिवीजनल सुपरिटेंडेंट तक यह बात कही जा रही है। इस ढंग से ट्रेड यूनियन आन्दोलन को मजबूत करने का यह काम कर रहे है। इसलिये मै चाहता हू कि इसकी भी सफाई मत्री महोदय दें, क्या इन्ही दाव पेंचो के आधार पर रेल कर्मचारियो के आन्दोलन को वह खत्म करना चाहते है ?

तीसरी छोटी सी बात यह है कि मेरे क्षेत्र मे जो जसीडीह का इलाका है वहा इन दिनो मे कई सवारी गाडिया बन्द हो गई हैं, मेरे पास पत्र आये हैं, जिसकी वजह से वैद्यनाथ धाम और गया के जो पिलग्रिम्स है, यात्री हैं

श्री शकर दयाल सिंह पहली बार अपने क्षेत्र के बारे मे यह बोल रहे है इसलिये इस पर जरूर ध्यान दिया जाये। **(व्यवधान)**

श्री मधु लिमये क्या शकर दयाल सिह 24 घटे यहा बैठे रहते है और मेरी बात को सुनते हैं ? म तो आपके क्षेत्र के बारे मे भी बोला करता हू। अब आप चुपचाप सुनिये **(व्यवधान)**

बिहार मे एक करोड लोग भूखे मर रहे हैं और यह चुपचाप सहत चले जा रहे है। **(व्यवधान)**

तो मै कह रहा था कि सवारी गाडिया बन्द हो गई है और यात्रियो को बडी तकलीफ हो रही है, ता क्या मत्री महोदय सदन को आश्वासन देगे कि जसीडीह के इलाके मे सभी सवारी गाडियो को फिर से चालू किया जायेगा जिससे वैद्यनाथ धाम के जो यात्री है उनको राहत मिल सके ?

SHRI DINEN BHATTACHARYYA (Serampore) I raised certain points but the Minister did not reply.

Regarding the light railway, one in Bihar and another one in Howrah, West Bengal, he has not said anything. He is keeping silent and I want a categorical reply from him regarding normalcy. I can emphatically state that there is no normalcy anywhere, in any railway and it will never come unless and until you take back all the dismissed and suspended employees in their old positions. Those who are working are also dissatisfied. You are not giving them bonus. You are deducting 50 per cent of their dearness allowance increase. How can you expect that they will be satisfied? There will be no normalcy in the railways and you cannot bring normalcy unless you satisfy the worker. So, my point is don't try to mislead the House.

I again repeat that Shri Somenath Chatterjee raised a case here . .

MR DEPUTY-SPEAKER: He has replied to that.

SHRI DINEN BHATACHARYYA He has not replied in a categorical manner. That gentleman who was kept in jail ..

MR. DEPUTY-SPEAKER: You are raising the same point . .

SHRI DINEN BHATTACHARYYA: You have at least respect ...

MR. DEPUTY-SPEAKER: I will go according to the Rules. No new point is made. It is the same old one.

SHRI DINEN BHATTACHARYYA: The Calcutta High Court declared *ultra vires* their dismissal orders...

MR. DEPUTY-SPEAKER: It is also an old point. It was raised by many others also.

SHRI P. G. MAVALANKAR.

SHRI DINEN BHATTACHARYYA: Yes, the point was raised. But, when will it be settled?

In the Calcutta Underground Railway project 32 persons are still not being taken. No strike, no *gherao*, nothing of that sort. Still, I do not know why they were dismissed. They were not taken back. He is playing drakes and ducks with West Bengal. Not a single Manager is there. Nobody is in charge of it. Who is doing all these things? I do not know.

SHRI PRIYA RANJAN DAS MUNSHI (Calcutta-South): I know it. I am here to take my responsibility.

SHRI DINEN BHATTACHARYYA: Mr. Mishra should assure us regarding the Calcutta Underground Railway project as to what he is doing in that regard.

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Deputy-Speaker, Sir, I think it is high time that we do away with the separate status of railway finance and administration which has been going on for so many decades. How long shall we allow and tolerate this?

I therefore support the contention of my friend Shri Madhu Limaye; and, for meeting the requirements of modern times, I hope, the Minister will come forward with an urgent amendment of the entire Railway Act.

Then, Sir, I feel that the Railway Board and its officials should really be related to this because, under the old Act, what I find is that the weight of the officials from the Railway Board is so terrible and so great on the heads of the Railway Minister and his colleague, that even if the Railway Act amendments are accepted, I do not know how this can break through the functioning of the Railway Board. Now, I do not want to go into details about the question of the striking railwaymen because I have already moved my various cut motions. Even if we lose our cut motions here because

[Shri P. G. Mavalankar]

of our being in a minority in this House, the country at large is very much agitated on the problem. I shall say this to the Government: If you want the railway workers to serve the country, please see that the bitterness is reduced to the minimum extent possible. Those who are not involved in charges of acts of violence or sabotage should be taken back in service speedily and with sympathy and grace.

Before the strike, during the strike and after the strike, I find that, even upto this date, a large number of passenger trains in Gujarat are still remaining as cancelled and they are not being restored. This particular question has not been replied to by the Minister. I want early restoration of these trains. Now I come to the point about the salt industry. Here I would say that a lot of salt is not being lifted from the areas in Saurashtra and Kutch because the wagon supply is very scarce.

SHRI MADHU LIMAYE: He charges Rs. 50,000.

SHRI P. G. MAVALANKAR: I do not know. The point here is that the salt industries are unable to get an adequate wagon quota. So, I would request the Minister to go into this question and to see as to why it has not been possible for Government to upgrade the salt from 'E' to 'C' category so that it becomes an essential item like the carrying of foodgrains. If you upgrade it from 'E' to 'C', I am sure, that the salt industries in Saurashtra and Kutch would get a great relief.

Finally I want to ask one question. Some time ago, Shri Qureshi gave me a reply on a point raised by me last time on the Railway Budget that about 9,000 and odd residents at Sabarmati Railway Colony, a part of my constituency is not getting pure drinking water supply.

MR DEPUTY-SPEAKER: You have made that point.

SHRI P. G. MAVALANKAR: I would like the Minister to reply to the point. When I asked him about not supplying pure drinking water to these people, he wrote back to me saying that they are getting pure drinking water. I have a report of the medical officer of the Ahmedabad Corporation saying that the drinking water that is supplied to the residents of Sabarmati Railway colony is unfit for drinking. The Minister says that it is fit for drinking. He is not competent to give this answer. I hope he will go into this question and see to it that pure and good drinking water is supplied to the residents, and, then there is also the question of providing proper educational facilities to the boys and girls and small children of this Sabarmati railway colony

MR DEPUTY-SPEAKER: Mr Mavalankar, you have made that point. Why are you elaborating it?

SHRI P. G. MAVALANKAR: Sir, my point is that these boys and girls and small children should not be forced to go two or three miles away and sometime, even eight miles afar, for their schooling. The Railway Minister should please see to it that the railway colonies get certain basic facilities

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): With your permission, Sir, I start with Shri Mavalankar regarding allotment of wagons. I do not want to repeat what has been already mentioned. As I understand it, the allotment of wagons for salt is made by the Salt Commissioner on the recommendations of the State Government and so, the Railways as such have nothing to do with this except that they go by the recommendations of the Salt Commissioner. They allot the priority so far as salt for human consumption is concerned. Railways come in the picture for honuring the recommendations of the Salt Commissioner. On their

own initiative Railways cannot allot wagons for salt. As regards the question of a number of railway trains having been cancelled in Ahmedabad area I would like to tell him it is not only in the Ahmedabad area but all over the country that number of trains have been cancelled due to the non-availability of steam coal. We are trying to get over this difficulty soon Mr Mavalankar also wanted amendment of the railway Act. I have already stated we are getting this whole Act being examined. I am in entire agreement that this century old Act has to be amended.

Now, I come to the points raised by Mr Bhattacharyya. Sir, it is not possible for us to take over the Arra-Sasaram light railway in Bihar. We have no funds to provide for that. So far as Howrah-Ramta railway line is concerned the work has been started and it is on priority list. As regards the underground railway it is going according to schedule but I want to tell him we are going it in collaboration with the Soviet Union. We are having difficulties in regard to certain points and a delegation has to go to Soviet Union to sort them out but the work is going according to schedule.

माननीय मधु लिमये जी ने एक आदमी की गिरफ्तारी के बारे मे सवाल उठाया था, शायद पहले भी उन्होने यह सवाल उठाया था। मे उसका देख रहा हू , अभी मेरे पास सूचना उपलब्ध नही है । सूचना मिलने पर उनको बताऊगा । औफ हैड सूचना नही दे सकता । लेकिन पता लगा कर बता दूगा कि क्या पोजीशन है । अभी मेरे पास सूचना उस आदमी की गिरफ्तारी के बारे मे नही है ।

जहा तक पहली मई की बात है हमस माननीय मधु लिमये जी और लोग मिले थे, लेकिन हमने कोई आश्वासन नही दिया था कि पहली मई को गिरफ्तार हुये सब छोड़ दिए जायेगे । हमने कहा था जनरल ऐमनेस्टी नहीं हो सकती । लेकिन जिन पर वायलेंस का, हिंसा का चार्ज नही वह सब छोड़ दिये जायेंगे ।

माननीय एस० एम० बनर्जी ने भी इसी तरह का सवाल उठाया था कि सबको छोड दिया जाय ।

श्री मधु लिमये : मैंने कहा था कि रेलवे बोर्ड के चेयरमैन और डिवीजनल सुपरिन्टडेंटस सभी रेलवे कर्मचारियों से कहते है कि जार्ज फरनान्डीज को अध्यक्ष पद से निकालिये, आपको रीइन्स्टेट किया जायेगा ।

श्री एल० एन० मिश्र : मैं उसी पर आ रहा हूं, आप धीरज रख । जहां तक माननीय एस० एम० बनर्जी का सवाल है जनरल ऐमनेस्टी का वह मैंने बता दिया । लेकिन जितनी जल्दी हो सकता है और जो हमारा फार्मूला हो सकता है उसके अनुसार जो हो सकता है वह करेंगे । श्रीमती पार्वती कृष्णन को मैंने बताया था कि किस तरह से करना चाहत हे । और मुझे उम्मीद है कि वह दिलचस्पी उसी तरह से लेती रहगी, जैसे अभी तक लेती रही है ।

माननीय रामावतार शास्त्री ने दानापुर डाक बंगले के बारे मे कुछ व्यक्तिगत बाते उठायी । मैं स्पष्ट कहना चाहता हू कि 21 तारीख को न मेरी बहू, न मेरा बेटा और नबरात वहा ठहरी थी । म जरूर डाक बंगले में ठहरा था रेल मत्री के नाते । मैं नही जानता कब वह डाक बगला एयरकडीशन्ड हुआ । केवल एक बार मै दानापुर मे उतरा । क्योंकि हवाई जहाज पकड कर मुझे बाढ़ इलाके मे जाना था । वहा से हवाई अड्डे गया । अगर शास्त्री जी को देखना है कि पटना स्टेशन पर मैं किस तरह से उतरता हूं तो वह छिप कर देख कि कितने हजार आदमी पटना स्टेशन पर रहते हैं । उनको ईर्ष्या होती है । पटना की जनता किसको साथ है वह आकर देखें ।

(श्री एल० एन० मिश्र;

माननीय लिमये जी ने जार्ज फरनान्डीज की बात उठायी । यह बात सत्य नहीं है कि हमारे रेलवे बोर्ड के चेयरमन य मेम्बर उनको हटाने की बात सोच रहे है । श्री फरनान्डीज को संगठन ने चुना है, वह बने रहे। लेकिन एक बात सही है कि जार्ज फरनान्डीज मजदूरों के लिये जो काम करना चाहते हैं जिससे मजदूर आन्दोलन मजबूत हो, हम लोगो की धारणा है कि वह ऐसा नहीं कर रहे है बल्कि मजदूरों को गुमराह कर रहे हैं। और अगर उनको गुमराह करने की कोशिश करेंगे तो हम उस रास्ते मे आयेंगे । क्योकि हम स्वस्थ ट्रेड यूनियन चाहते है ।

MR. DEPUTY-SPEAKER: Now, the question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1974-75 for the purposes of Railways, be taken into consideration."

The motion was adopted.

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष जी, मेरा प्वाइट आफ आर्डर है । आप मेरी बात नही सुनगे तो मै नारा लगाऊंगा जो बात माननीय रेल मंत्री ने कही है उस पर मेरा प्वाइट आफ आर्डर है ।

MR. DEPUTY-SPEAKER: Will you please sit down? Kindly listen to me. I will listen to your point of order. First understand what is the order and then raise your point of order. What is the order now? Members have raised certain points and the Minister has replied. I am on my legs putting the question to the House. That is the order. If you have a point of order on that, on my putting the question....(*Interruptions*). I will hear you. The order is that I am putting the question to the House. I am on my legs If you have a point of order relating to my being on my legs and putting the question to the House, you are welcome.

श्री रामावतार शास्त्री : उपाध्यक्ष जी, माननीय मन्त्री जी जब जवाब दे रहे थे तो मैं बीच में जब टोकने लगा तो इन्होने कहा कभी तो इन्सान बनने की कोशिश कीजिये । यानी मैं इन्सान नही हूं । यह बात उन्होने कही है । या तो वह इसको विदड्रा करे और नही तो उसका मतलब बताये । अगर वह मुझे इन्सान नही मानेगे तो मैं उन्हे कैसे मानूगा ।

जो इन्सान नही है वह इस हाउस मे कैसे आयेगा ?

जहा तक एयरकंडीशनिंग का सम्बन्ध है, मेरे पास कुरैशी साहब का जवाब है जिसमे उन्होने कहा है कि तीस हजार रुपये खर्च किये गये हैं । एसा क्यो किया गया है ? इसका आपने अभी तक जवाब दिया है

श्री एल० एन० मिश्र : मैने कहा है कि मैं ठहरा हुआ था ।

श्री रामावतार शास्त्री एयरकंडीशनिंग क्यो की गई (व्यवधान)

MR. DEPUTY-SPEAKER: Shall I call you to order now? About the controversy, about a particular celebrated dak bangalow somewhere.... (*Interruptions*) Whatever it is, that is a matter between the hon. Member and the hon. Minister.... (*Interruptions*). Now, the only question of order is whether it is proper to ask another Member to behave like a human being. My ruling is that it is; because we are all human beings and it is only when we assume that the other person is a human being that we ask him to behave like a human

being. All of us are human beings. The only person who is doubted whether he is a human being or not is the person sitting in this Chair; either he is a supra being or an infra being.

The question is:

"That clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI L. N. MISHRA: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

15.52 hrs.

PAYMENT OF BONUS (AMENDMENT) BILL

MR. DEPUTY-SPEAKER: We take up the next item of business, the Payment of Bonus (Amendment) Bill. This is a simple Bill, which only seeks to enable the Government to pay bonus to the workers for the years 1973-74. I do not think any body has any objection. If you all agree we shall just go through the formalities of adopting this Bill.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): Sir, I beg to move:

"That the Bill further to amend the Payment of Bonus Act, 1965, as passed by Rajya Sabha, be taken into consideration."

SHRI S. M. BANERJEE: Bonus must be given to all the employees.

SHRI DINEN BHATTACHARYYA (Serampore): I do not have any quarrel with the Minister. I want to say that this should be extended to the Government employees, the Railways and other employees who are not getting bonus at present.

SHRI PILOO MODY (Godhra): And the C.P.I. Members of Parliament.

SHRI DINEN BHATTACHARYYA: Parliament Members get many benefits. But there are some cases like the Birlas Rayon who during the last year have not paid bonus and your counterpart in West Bengal is keeping silent. I do not know what is the logic or what is the reason. Birlas are not being forced to pay bonus for the last year. They have not been prosecuted.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta-South): Will you please tell me what agreement you have signed with the Birlas?

SHRI P. M. MEHTA (Bhavnagar): This only reflects the hand to mouth labour policy of the Government. All the employees of the Central Government, the State Governments and commercial undertakings of Government should be covered by this Act.

SHRI S. M. BANERJEE: Let the Minister assure the House that after the submission of the report by the Bonus Commission, the cases of all employees of Central Government, State Governments, commercial undertakings and corporations will also be taken into consideration.

MR. DEPUTY-SPEAKER: I hope the Minister will take all these points into consideration. The question is:

"That the Bill further to amend the Payment of Bonus Act, 1965,

as passed by Rajya Sabha, be taken into consideration"

The motion was adopted.

MR DEPUTY-SPEAKER· The question is:

"That clauses 2 and 3, clause 1, the Enacting Formula and the title stand part of the Bill"

The motion was adopted

Clauses 2 and 3, clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI BALGOVIND VERMA· I beg to move

"That the Bill be passed"

MR DEPUTY-SPEAKER The question is

"That the Bill be passed"

The motion was adopted

MR DEPUTY-SPEAKER Before, we take up the next item, there are some important papers to be laid on the Table for which the ministers have sought permission They may do so now

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STATEMENT RE PROPOSED TRANSFER OF SHARE OF CENTRAL PROVINCES MANGANESE ORE COMPANY, LTD

THE DEPUTY MINISTER IN THE MINISTRY OF STEEL AND MINES (SHRI SUBODH HANSDA) I beg to lay on the Table, a statement in response to the matter under rule 377 raised by Shri Vasant Sathe in the House on the 21st August, 1974 regarding proposed transfer of share of the Central Provinces Manganese Ore Company Limited

STATEMENT

On 21st August, 1974, on a motion raised by Shri Vasant Sathe about the activities of one Shri R N Kapur with regard to the acquisition of shares of Central Provinces Manganese Ore Co. Ltd I had Promised to make a statement

Central Provinces Manganese Ore Co Ltd is a sterling company incorporated in Great Britain It had been operating in some districts of present Madhya Pradesh and Maharashtra from 1901 In 1961 the question of renewal of some of the leases held by this Company came up It was then mutually agreed to form a new company to operate 18 of the 19 leases held by CPMO Manganese Ore India Ltd thus came into existence in which CPMO held 49 per cent of shares and the remaining 51 per cent were shared equally by the Government of India and the State Governments of Madhya Pradesh and Maharashtra

The one lease that of Balapur Hamesha held by CPMO became due for renewal in 1971 The renewal was refused by the Government The Company instituted legal proceedings in the Nagpur Bench of the Maharashtra High Court and obtained a stay order permitting them to remain in working possession of the property The stay order is still in force

Steps were taken to contest the suit In August 1972, CPMO sent its representatives from London for a settlement of the case out of the Court The offer included surrender of the lease held rights on this mining lease subject to the 49 per cent shares hold by CPMO in MOIL being acquired by the Government of India at a negotiated price

Negotiations were held during February' 73 with representatives of the then Management of CPMO While the matter was still under consideration it came to the knowledge of the Government that the ownership of the CPMO Company had undergone a change. It was understood that the

majority interest in the CPMO had been acquired by newcomers of "Indian origin". Enquiries revealed that one Shri Ram Narain Kapoor had become Chairman of the Company and his son, Shri Ram Nath Kapoor had been appointed a Member of the Board of Directors.

Since the start of negotiations with CPMO for the acquisition of 49 per cent shares held by it in MOIL, the financial position of MOIL had deteriorated. This factor combined with the change in management of CPMO necessitated a review of the earlier proposal to acquire the shares held by CPMO in MOIL. It has been decided to call off the negotiations that had been earlier conducted with the then Management of CPMO.

Uuder the Foreign Exchange Regulation Act 1973, foreign companies operating in India or holding shares in Indian Companies are required to obtain the permission of the Reserve Bank of India for continuing to hold these share or carry on their operations in India. These applications have been received from C.P.M.O. and are under examination with the Reserve Bank of India.

Reports have appeared is a section of the press about the activities of the C.P.M.O. and one Shri R. N. Kapur. These refer to the transactions in acquisition of shares of several companies by these two. We do not as yet possess full facts about this. The question whether the alleged activities of present management of C.P.M.O. or Shri R. N. Kapur are actionable will be decided after full facts become available. I would like to assure the House that the Government would consider the matter from all aspects before taking any decision.

STATEMENT RE. INCIDENT ON 5-9-1974 AT INDUSTRIAL TRAINING INSTITUTE, ARAB-KI-SARAI, NEW DELHI

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): I beg to lay on the Table, a statement on the incident on the 5th September, 1974 at the Industrial Training Institute, Arab-Ki-Sarai, Nizamuddin, New Delhi.

Statement

On 5th September, 1974, at about 12.20 P.M information was received at the Police Station Nizamuddin that buses were being stopped by the students of the Industrial Training Institute, Arabi-ki-sarai, Nizamuddin. On receipt of this information a small police force from Police Station Nizamuddin went to the gate of the Institute and on their intervention the buses were allowed to move. The students attempted to stone some buses, but no damage was caused to them. The students resented the movement of the buses and started brick-batting the police. The brick-batting became heavy and additional police force was called. The traffic on the Mathura Road had to be diverted. The number of students increased to about 400 and the Superintendent of Police and the Sub-Divisional Magistrate also reached the spot The police continued to deal with the situation with the utmost patience.

2 At about 2.00 P.M. the situation became tense when it was apprehended that some constables had been dragged into the building of the Institute. At this point, the Police had to enter the building to search for the missing constables. Stiff resistance was encountered from the students and the police used eighteen shells of tear-gas to disperse them. Students then retreated to the various parts of the building and continued to brick-baf

[Shri Ram Niwas Mirdha]

and cause injury to the police from various points, including the roof tops

3 When a search was being made in the workshop for the missing constables, the students continued to offer stiff resistance At this stage the Principal of the Institute informed the police party that an injured constable was lying in the dispensary of the Institute which was located in the middle of the main building of the Institute When a police party was sent towards the dispensary this party also encountered resistance from the students Police had to resort to mild cane charges also on a few occasions Further search of the remaining parts of the building had to be made to confirm that no other constable had been detained and in this search members of the staff of the Institute were associated No other constable was found inside the building By about 2 30 P M the situation was brought under control

4 Fifty students were arrested Nine of them were found to have simple injuries Orders have been passed to release all the students on bail In this incident, the Sub-Divisional Magistrate and 21 police officials, including the Superintendent of Police and the Sub-Divisional Police Officer received injuries Three injured constables are still in the hospital A case has been registered under sections 147/149/186/353/332/341/342 IPC at Police Station Nizamuddin against the arrested students and is being investigated

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STATEMENT RE POLICE FIRING AT KURTHA TOWN IN BIHAR ON 5-9-1974

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): I beg to lay on the Table a statement regarding police firing at Kurtha town in Bihar, on the 5th September, 1974

Statement

With your permission I rise to make a statement on the police firing at Kurtha town in Bihar on the 5th September 1974

According to the information received from the Government of Bihar, a demonstration and a gherao of the Block Office at Kurtha was organised by the Soshit Dal in defiance of prohibitory orders promulgated under section 144 Cr P C and rule 69(1) of DIR 1971 At about 12 noon a mob of about 1000 strong broke through the police cordon and resorted to heavy brick batting They also attempted to burn effigies in the verandah of the Block Office In order to disperse the crowd the police resorted to lathi-charge The mob which had in the meantime swelled considerably grew more furious and violent Some members of the unlawful assembly were armed with country-made fire-arms, spears garasas and lathis Heavy brick-batting by the mob resulted in injuries to 65 officials including a Dy S P The lathi charge by the police proved ineffective in controlling the violent mob which was on the rampage The mob was incited by its leaders to resort to violence, to attack the office and the staff and to forcibly occupy the Block Office Some gun shots were fired from the mob resulting in pellet injuries to three lady members of families of the Block staff As the situation was getting out of control and as there was an imminent danger to life and property and as the lathi-charge by the police did not prove effective in controlling the mob the SDM, Johanabad ordered CRPF to open fire In all five rounds were fired As a result thereof Shri Jagdav Prasad, a Soshit Dal leader and an ex-Minister died and three other persons received injuries The injured were removed to Patna Medical College Hospital Three lady members of families of the Block Staff who re-

ceived pellet injuries were also shifted to Patna Medical College Hospital.

The Government of Bihar have set up a Commission under the Commissions of Inquiry Act to inquire into the incident. The Commission would consist of Shri S. C. Roy, Additional Member, Board of Revenue. The State Government have also sanctioned an ex-gratia payment of Rs 20 000 to the breaved family

The situation is under control.

16 hrs

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, on a point of order. The hon. Speaker had announced from the Chair that the Government was under an obligation to make a statement on the starvation deaths and scarcity conditions. Although a week has passed, so far they have not come forward with a statement, to my knowledge I would like you to make some observations in this regard, because this is the last day of the session.

SHRI SHYAMNANDAN MISHRA (Begusarai): The statement on the Kurtha firing which involves the death of an ex-Minister, has caused so much anxiety. Since it is a very small statement, could it not be read?

MR DEPUTY-SPEAKER: Whether it is short or long it has been laid.

श्री रामावतार शास्त्री (पटना) : उपाध्यक्ष महोदय, एक चीज मैंने कही थी, मेघालय के बारे मे बार बार सवाल उठाया गया कि मेघालय की गवर्नमेंट के अन्दर सी० आई० ए० की एजेंसी काम कर रही है एम० आर० ए० नाम पर, उसके ऊपर गृह मंत्री को बयान देना था। वह बयान अभी तक नही आया। हमारी यह स्टेट बहुत ही महत्वपूर्ण स्टेट है, सीमा का राज्य है। तो यह अजीब तरीका है सरकार का कि सभी बातों पर वह बैठी रहती है और जवाब नही देती। देश आज जानना चाहता है कि वहां के लिये सरकार क्या कर रही है? और सी० आई० ए० को खत्म करने के लिये क्या किया जा रहा है?

MR. DEPUTY-SPEAKER: I hope the Ministers will take note of the submissions.

SHRI S. M. BANERJEE (Kanpur): Sir, let the discussion be over and then let the statement be made. Three refugees have been shot dead. It is a very serious matter. The people are really aggrieved. Let the Minister make a statement.

MR. DEPUTY-SPEAKER: Sometimes the Chair has to play the role of a sounding board, and I have done that. If the Speaker has said like that, I reinforce it. The Ministers may take note of what the Members have submitted

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16 04 hrs.

MOTION RE: CONSTITUTION OF PARLIAMENTARY COMMITTEE TO EXAMINE MATTER RELATING TO ALLEGED SIGNATURES OF 21 MEMBERS OF LOK SABHA ON A REPRESENTATION TO MINISTRY OF COMMERCE RE: GRANT OF LICENCES

MR. DEPUTY-SPEAKER: Now we take up the motion of Shri Atal Bihari Vajpayee.

श्री शंकर देव (वीदर) : उपाध्यक्ष महोदय, मेरा एक प्वाइंट आफ आर्डर है। इसी प्रकार का मोशन तीन चार दिन पहले मूव किया गया था और उसके ऊपर कितना हंगामा हुआ था, कितनी गड़बड़ हुई थी यह आप जानते हैं। तो मैं यह आश्वासन चाहता हू कि इस मोशन को मूव करने के बाद उसी प्रकार का हंगामा फिर रिपीट नही किया जायेगा। आप जानते हैं कि हिन्दुस्तान की

[श्री शंकर देव]

पार्लियामेंट की गरिमा और इसके गौरव को देख कर हमारा पड़ोसी राज्य सिक्किम जैसा देश हमारे साथ एक सदस्य के रूप में आना चाहता है। अगर इसी प्रकार का हंगामा होता रहा और जैसा उस दिन मधु भाई ने किया ... (व्यवधान) ... अगर ऐसा ही होता रहा और पार्लियामेंट की गरिमा और उसके गौरव को गिराया गया तो क्या कोई हमारे साथ आने को सोचेगा ? इसलिये मै आपसे प्रार्थना करता हूं और आश्वासन चाहता हू कि इस बार वैसा हंगामा नही होना चाहिये ।

MR. DEPUTY-SPEAKER: I fully endorse what you say, that we should conduct ourselves with dignity. But may I request that you start beginning it with yourself now? Now, Shri Vajpayee.

श्री शंकर देव : उपाध्यक्ष महोदय, जब तक यह एश्योरेंस नही मिलेगा तब तक मै हाथ जोड कर यही खडा रहूगा । मैं यहा से हटूगा नही । मैं हाथ जोड कर प्रार्थना करूंगा, मधु लिमये जी जिन्होंने उस दिन सभापति के हाथ से माइक छीना, वे इसके लिए खद प्रकट करें और कहे कि वह कभी इस प्रकार का काम नही करेंग । ..(व्यवधान) ...

मैं बैठूगा नही । मैं आपके चरणो में खडा रहूगा । मै आपका एश्योरेंस चाहता हूंठ कि सदन की गरिमा और इस के गौरव को नीचे नही गिराया जायेगा । मैं यह चाहता हूं कि आप इस तरह का आश्वासन दें ।

MR. DEPUTY-SPEAKER: Since the hon. Member is very worked up about this, he should be given some attention. Every member deserves some attention. May I draw his attention to the fact that this whole matter was gone through first in the Business Advisory Committee, some agreement was arrived at by all sections of the House; then, I think, two or three days ago, Shri Madhu Limaye made a statement here, to which the Prime Minister also responded. Therefore, do not rake up the whole thing again. I would request you to keep quiet. Let us proceed with the business of the House.

SHRI P. G. MAVALANKAR (Ahmedabad): On a point of order. While the House is about to debate a very serious matter in the form of a motion by my esteemed friends, Shri Atal Bihari Vajpayee and Shri Jyotirmoy Bosu, today being the last day of the current extended Monsoon Session, may I know at what stage the Leader of the House will intervene and give a reply on behalf of Government? We all know that the hon. Speaker himself had to cancel his visit to Shri Lanka because of Parliament being in session. The other day the Leader of the House had said that they had a great regard for the authority of the Chair. Therefore, I would like to know whether the Prime Minister is going to intervene and if so, at what stage, and if she is not intervening, whether she is in Delhi and if not, whether she has taken permission of the Chair to be out of Delhi when an important business is discussed in Parliament.

MR. DEPUTY-SPEAKER: In the first place, I extremely dislike bringing in any personal programme into the proceedings of the House. (*Interruptions*) Order, please. I am on my legs. Since he has raised this point, I would like to say that it is extremely undesirable for anybody to bring in his personal programme into the proceedings of the House. It is wrong for me to say, "I have this programme or that programme and I cancel it because of this and this will go into the proceedings of the House." I think, it is not desirable.

Secondly, with regard to the debate, the Government can field anybody, the Opposition can field anybody, to speak and to reply. For your information, I have before me here the letter which the Prime Minister has written to the Speaker. She has shown that courtesy to this House.

> "I write to inform you that I shall not be able to attend the sitting of the House on Monday, September 9, as I have to go out of Delhi to keep certain prior public engagements which were fixed before I knew that the House was sitting on that day."

We have to remember this....(*Interruptions*). Will you kindly allow me to say in peace what I want to say?

In the first place, this has been an extra-ordinary session. From the 30th July, we have had to extend it to the 9th. Who can anticipate this? Nobody could have anticipated this. Therefore, I think we should not make too much of a point of that. Let us, every one of us, avoid bringing in personal affairs into the proceedings of the House. I do not like this.

Shri Vajpayee.

SHRI JYOTIRMOY BOSU (Diamond Harbour): No personal affair.

श्री अटल बिहारी वाजपेयी (ग्वालियर) : उपाध्यक्ष महोदय, मैं निम्नलिखित प्रस्ताव करता हूं "कि यह सभा संकल्प करती है कि इस बात को सुनिश्चित करने के उद्देश्य से कि संसद सदस्य सार्वजनिक जीवन में आचरण का उच्च स्तर बनाये रखें, अध्यक्ष द्वारा नाम-निर्दिष्ट 11 सदस्यों की एक समिति गठित की जाये जो लोक सभा के 21 सदस्यों के कथित हस्ताक्षरों में वाणिज्य मंत्रालय को दिये गये अभ्यावदन, मंत्री द्वारा किये गये इस रहस्योद्घाटन कि उनमें से अधिकांश हस्ताक्षर जाली हैं और अभ्यावदन में उल्लिखित फर्मों को वास्तव में अलाट किये गये लाइसेंसों से सम्बद्ध समूचे मामले की जांच करे और उस बारे में आवश्यक सिफारिशें करे।"

16.12 hrs.

[MR. SPEAKER *in the Chair*]

अध्यक्ष जी, सरकार द्वारा इस प्रस्ताव की चर्चा के लिये मनवाने की घटना को समाचारपत्रों ने प्रतिपक्ष की भारी विजय बताया है। प्रतिपक्ष से मेरा अभिप्राय श्री जार्ज फरनांडीज के "प्रतिपक्ष" से नहीं है। प्रतिपक्ष से मेरा अभिप्राय विरोधी दलों से है। मुझे लगता है कि अगर यह विजय है तो भारतीय लोकतंत्र की विजय है, केवल विरोधी दलों की विजय नहीं है लेकिन यह विजय अधूरी है। यही कारण है कि मैं किसी उल्लास की भावना से नहीं, गहरे विवाद की भावना से भर कर इस चर्चा को आरम्भ करने के लिये खड़ा हुआ हूं।

मेरी दृष्टि में लाइसेंस काण्ड भारत का वाटरगेट है। वाटरगेट ने अमरीकी लोकतंत्र की विकृति और अमरीकी लोकतंत्र की शक्ति—दोनों का एक साथ प्रकटीकरण कर दिया। लोकतन्त्र कितना दूषित हो सकता है इसका दृश्य हमने देखा, लेकिन लोकतंत्र जागृत और ज्वलन्त होने पर सत्ता में बैठे हुये सर्वश्रेष्ट व्यक्ति को किस तरह से अपना पद छोड़ने के लिये विवश कर सकता है, यह चित्र भी हमने अमरीका में देखा। लाइसेंस काण्ड ने भारतीय लोकतन्त्र की दुर्बलता और विकृति को बहुत उजागर किया है लेकिन अभी उसकी शक्ति पूरी तरह से प्रकाश में नहीं आयी है।

लाइसेंस कांड के तथ्य सदन के सामने आ चुके हैं। बम्बई के साप्ताहिक में 30 मार्च, 1974 को एक खबर छपी थी, उसके आधार पर राज्य सभा में एक प्रश्न हुआ था, प्रश्न के उत्तर में वर्तमान वाणिज्य मंत्री श्री चट्टोपाध्याय ने स्वीकार किया—(1) एक ज्ञापन जिस पर 21 संसद् सदस्यों के हस्ताक्षर

[श्री अटल बिहारी वाजपेयी]

बताये जाते हैं, मंत्रालय मे 23 नवम्बर, 1972 को प्राप्त हुआ था। (2) मंत्री महोदय ने यह भी माना कि ज्ञापन के अनुसार यमन, पाडिचेरी की 6 फर्मों को लगभग 30 लाख रुपये के आयात के लाइसेंस दिये गये। (3) मंत्री महोदय ने यह भी कहा कि मामले की केन्द्रीय जाच ब्यूरो के जरिये गुप्त जाच कराई गई।

जो प्रश्नोत्तर हुये उनमे श्री चटोपाध्याय ने कहा कि जो चीजे मगाने की इजाजत दी गई, वे है

Carriage tools, instruments, apparatus and appliances parts, carriage, scientific and medical and surgical instruments, motor vehicle parts.

इसके बाद सदस्यो के पूछने पर उन्होने यह भी दबी जबान से स्वीकार किया कि इन फर्मों को ब्राडी, जिन और ह्विस्की मगाने की भी इजाजत दी। श्री चट्टोपाध्याय ने दावा किया कि इन फर्मों को जो लाइसेन्स दिए गए है वे नियमानुसार है मे उनके शब्दो को ही उद्धृत कर रहा हू

"All was done according to norms and forms and rules and regulations"

अब यदि यह सच है कि सब कुछ कायदे के अनुसरा हुआ, यदि यह सच है कि ये फर्में पुरानी आयतक हैं, यदि यह सच है कि कभी इनके नाम काली सूची मे नही रखे गए, यदि यह सच है कि बीच मे इनके मामलो पर विचार करके इनके मामले रद्द करने का जो फैसला किया गया, वह फैसला गलत था और मंत्री महोदय ने केवल उसी गल्ती को ठीक किया—किस मंत्री ने ठीक किया उस पर बाद मे आऊंगा—अगर यह बातें सब ठीक हैं तो मैं जानना चाहता हूं इन फर्मों की सिफारिश में अध्यावेदन करने वाले 21 संसद सदस्यों में कोई एक भी ऐसा क्यो नही निकलता जो यह कहे कि इन फर्मों के साथ अन्याय हुआ था, अन्याय की घटना हमारे दृष्टिकोण मे लाई गई, हमने अन्याय के परिमार्जन के लिए इनके मामले मंत्रालय को भेजे ?

आप यह स्वीकार करेंगे कि ससत्सदस्यो के नाते जब भी अन्याय की कोई घटना हमारे सामने लाई जाती है, वह चाहेव्यक्तिगत हो या सामूहिक तो उसके बारे मे हम मंत्री महोदय को लिखते हैं, लिखने में कोई सकोच नही करते है। लेकिन इस मामले मे कोई भी व्यक्ति नैतिक बल के साथ खडा नही हुआ और न यह कहा कि हा, हमने लिखा और ठीक लिखा। इसके बजाये, इस मामले मे तो स्थिति यह है कि 21 लोकसभा के सदस्यो में से 20 सदस्यो ने बारी बारी से इस सदन मे खडे होकर कहा कि हमने किसी आवेदन पर दस्तखत नही किये। इतना ही नही, उन्होने यह भी कहा कि हमारे दस्तखत जाली बनाये गए। एक सदस्य जो अब तक कुछ नही बोले है, वह है श्री तुलमोहन राम। 21 सदस्यो की सूची में उनका नाम सर्वोपरि है, वह इस काण्ड के हीरो दिखाई देने है। उन पर आरोप है कि उन्होने और सदस्यो के जाली दस्तखत बनाये। दूसरा यह भी आरोप है कि उन्होने लाइसेन्स दिलाने मे रुपया बनाया। कोई कहता है डेढ़ लाख और कोई कहता है कि एक लाख 80 हजार। यह भी प्रकाशित हुआ है कि जब सी० बी० आई० ने उनसे पूछताछ की तो वे टूट गए, और उन्होने अपना अपराध मान लिया। श्री तुल मोहन राम कहा है ? (व्यवधान) इस सदन मे आकर वे अपनी सफाई क्यो नही देते हैं ? मेरा निवेदन है कि उनका मौन बाकी और सदस्यो के प्रखर इनकार से भी अधिक मुखर है। उन की चुप्पी अपराध की स्वीकृति है। कांग्रेस

पार्टी कम से कम उन के मामले को तो संसदीय जांच के लिये भेज सकती है । लेकिन यह भी निर्णय नही किया गया । क्या इस का कारण यह है कि श्री तुल मोहन राम अकेले नहीं है, उन के साथ कुछ और भी ऊचे पदो पर बैठे हुए व्यक्ति शामिल है ?

अध्यक्ष जी, श्री तुल मोहन राम बिहार के सदस्य है, शायद ही वे कभी वाद विवाद मे भाग लेते हो । मै प्रयत्न करने पर भी उन की शक्ल सूरत ध्यान मे नही ला सकता । प्रश्न यह है कि पौडिचेरी, करायकल, माही और यनम की फर्मे उन के पास सिफारिश के लिये कैसे पहुची ? श्री तुल मोहन का नाम सारे देश को ज्ञात नही है । अगर मेरे मित्र श्री वसन्त साठे के पास हिन्दुस्तान के किसी सुदूर कोने से कोई फर्म आ जाय और अपने अन्याय के प्रति शिकायत करे तो जनता समझ सकती है वे एक जाने माने व्यक्ति है . .

श्री बसन्त साठे (अकोला) में उन्हे माननीय वाजपेयी के पास भेज दूगा ।

श्री अटल बिहारी वाजपेयी जरूर भेज दीजिये लेकिन रुपया खुद रखकर न भेजिये रुपये के साथ भेजिये ।

अध्यक्ष महोदय आप दोनों ही न रखिये, इस टेबिल पर रख दीजिये ।

श्री अटल बिहारी वाजपेयी जिन्हे मिल गया वह तो रुपये समेत गायब है और जिन्हे मिलने वाला है वह टेबिल पर रखने वाले नही हैं, वह जेब मे रखने वाले है ।

अध्यक्ष महोदय, स्पष्ट है कि इन फर्मों के कुछ व्यक्ति दिल्ली मे रहते थे, रहते हैं, जो इन फर्मों को लाइसेस दिलाने के लिये दलाल का काम करते थे । श्री तुल मोहन राम के साथ उन के सम्बन्ध थे । मै उन के नाम लेने के लिये तैयार हू । लेकिन मै नाम नही लेता । अगर ससदीय जाच हो तो इस सम्बन्ध मे कई सबूत मेरे पास हैं, म उन्हे पेश करूगा । लेकिन अध्यक्ष म लाइसेस लेने के लिए श्री तुल मोहन सम्पर्क काफी नही है । श्री तुल मोहन राम तो हमारे जैसे सदस्य है । जब तक उन का किसी मत्री से सम्बन्ध न हो तब तक वह लाइसेस नही दिला सकते । इम्पोर्ट का लाइसेस विदेश व्यापार मत्री दिला सकते हैं । यह घटना जब हुई तो श्री ललित नारायण मिश्र विदेश व्यापार मत्री थे । मै आरोप नही लगा रहा । मै तथ्य मात्र कह रहा हू, एक तथ्य यह भी है कि श्री तुल मोहन राम के साथ श्री ललित नारायण मिश्र के बड़े घनिष्ट सम्बन्ध हैं । श्री तुल मोहन राम ग्राम सरौनी, जिला सहरसा के निवासी है । वे अपने ग्राम मे श्री ललित नारायण मिश्र के पिता पूज्य पंडित रवीन्द्र नाथ मिश्र के नाम पर एक स्कूल बनवा रहे है । उस के लिये चन्दा इकट्ठा किया गया है ।

रेल मंत्री (श्री एल० एन० मिश्र) : हम को ज्ञात नही है ।

श्री अटल बिहारी वाजपेयी लेकिन हमे ज्ञान है । आप को अगर ज्ञान नही है तो थोडा सा ज्ञान हम से ग्रहण कीजिये । उस स्कूल के लिये पैसा इकट्ठा किया गया है, रसीदे छापी गई है । ललित बाबू कहते है कि उन्हे ज्ञान नही है, मै मान लेता हू । लेकिन अगर पिता के नाम पर स्कूल बने तो प्रत्येक सपूत का काम है कि उसके निर्माण मे मदद दे । अध्यक्ष महोदय, हम सभी लोग अपने पितृ ऋण से उऋण होना चाहते है । ललित बाबू इस मे अपवाद नही होना चाहेगे । श्री मिश्र ने कहा है कि इन फर्मों को उन के मंत्रित्वकाल मे लाइसेंस नही दिये गये । लेकिन उन्होंने माना

[श्री अटल बिहारी वाजपेयी]

कि आवेदन मिला। लेकिन यह नही बताया कैसे मिला ? डाक से मिला या हाथ से मिला ? अगर हाथ से मिला तो किस के हाथ से मिला ? मेरी जानकारी के अनुसार आवेदन श्री ललित नारायण मिश्र के निर्देश पर तैयार हुआ।

श्री एल० एन० मिश्र गलत बात है, एकदम गलत बात है।

श्री अटल बिहारी वाजपेयी : उन को जानकारी थी कि उस आवेदन पत्र मे कितने हस्ताक्षर सही हैं, कितने जाली है। मत्रालय छोडने मे पहले उन्होने ऐसा प्रबन्ध कर लिया जिस से इन फर्मों को लाइसेंस दे दिया जाय।

अध्यक्ष महोदय, श्री ललित नारायण मिश्र का मत्रालय बदल गया। मगर श्री तुल मोहन राम के साथ उन के सम्बन्ध नही बदले। नाता बडा गहरा है, परिस्थिति बदल सकती है मगर नाते नही टूटा करते। अन्तर इतना ही हुआ कि श्री तुल मोहन राम ने इम्पोर्ट लाइसेंस दिलाने के बदले रेलवे के वैगन दिलाने का काम अपने जिम्मे सभाल लिया। इस सम्बन्ध मे मै एक रहस्य का उद्घाटन करना चाहता हू। 13 फरवरी, 1974 को फलौदी राजस्थान से एक सज्जन दिल्ली आये, वे मैसर्स विश्वकर्मा नमक उद्योग के लिये वैगन चाहते थे। वे रेलवे बोर्ड गये, वहा उन्हे रेलवे बोर्ड के दो कर्मचारी मिले। उन के नाम भी मेरे पास है, मै समय पर उन का उद्घाटन करूगा। वे कर्मचारी उस व्यापारी को ले कर श्री तुल मोहन राम के पास गये। श्री तुल मोहन राम ने कहा हम वैगन दिला सकते है, रेल मत्री हमारे आदमी है। 25,000 का वायदा किया गया, 3,000 रुपये उन कर्मचारियो को दे दिये गये और श्री तुल मोहन राम को केवल 1,000 रुपये मिले। इस से श्री तुल मोहन राम नाराज हो गये। उन्होंने कहा हम यह वैगन दिलाने का काम रोक देंगे। इस पर मैसर्स विश्वकर्मा नमक उद्योग के आदमी ने कहा बताइये आप कितना चाहते हैं ? श्री तुल मोहन राम ने कहा हमे 20,000 पये चाहिये। आदमी ने कहा हम 21,000 रुपये देने को तैयार हैं। 21,000 रुपये का चैक ले लिया गया। यह चैक श्री सुरेन्द्र कुमार सिह के नाम से लिया गया। श्री सुरेन्द्र कुमार सिंह श्री तुल मोहन राम के सर्वेन्टस क्वार्टर मे रहते है। श्री तुल मोहन राम सुरेन्द्र कुमार सिंह को अच्छी तरह से जानते हैं। वह श्री सुरेन्द्र कुमार सिह के सर्टिफिकेट पर दस्तखत कर चुके है। वह कापी मेरे पास है, अटेस्टेड बाई श्री तुल मोहन राम। यह सर्टिफाइड है

"Attested|- Tul Mohan Ram
Certified that Surendra Kumar Singh, Sarvashri Chandra Mohan Eswar Prasad Singh Post-Madhubni— Distt — Dharbanga — Passed B.S.S. examination from our school"

इस पर अटेस्टेशन है श्री तुल मोहन राम का, हालाकि जाच मे श्री तुल मोहन राम की पत्नी ने कहा हमारे यहा सुरेन्द्र कुमार सिह नाम का कोई लडका नही रहता हम उस को नही जानते।

अध्यक्ष महोदय, वह चैक 28 फरवरी, 1974 को भुनाना था। वह चैक स्टेट बैक आफ बीकानेर और जयपुर के नाम था। वह चैक मिलने के बाद श्री तुल मोहन राम बिहार चले गये। जिस व्यक्ति ने चैक दिया उस ने कहा था कि आप भुनाइये नही, मैं जयपुर से नकद रकम भेज दूगा। लेकिन इतना सब कहा था। 28 फरवरी की जगह वह चैक 26 फरवरी को भुना लिया गया अब इस घोटाले में बैक भी शामिल है। बैक ने नही देखा कि चैक 28 फरवरी का है। 21,000 पये ले लिये गये। लेकिन

जब शाम को हिसाब मिलाया तो देखा कि जिन्होंने चैक दिया है उन के हिसाब मे 200,400 रुपये से ज्यादा नही है । यह भी देखा कि चैक 28 तारीख का है लेकिन 26 तारीख को भुन गया । इस पर बैंक के अधिकारी श्री तुल मोहन राम के स्थान पर गये । श्री तुल मोहन राम घर पर नही थे । श्रीमती तुल मोहन राम ने कहा कि सुरेन्द्र कुमार सिंह नाम का कोई व्यक्ति यहा नही रहता । बैंक ने जयपुर फोन किया । जयपुर से जिस व्यक्ति ने चैक दिया था उस ने कहा बड़े दुर्भाग्य की बात है कि यह घपला हो गया । रेलवे बोर्ड के दो कर्मचारियो से सम्पर्क करो । वह इस मामले का हल करा सकते है । रेलवे बोर्ड के वहो दो कर्मचारी 34 गुरुद्वारा रकाब गंज पर गए, लेकिन मामला लटका रहा । जब होली के दिन श्री तुल मोहन राम वापिस आए तो सोलह हजार रुपया लौटाया गया । उसमे साढे चार हजार रुपया एक गरीब आदमी का था, साढ पाच हजार रुपया एक दलाल का था और कुछ रुपया बैंक कर्मचारियो ने मुसीबत मे बचने के लिए इकट्ठा किया था बैंक के सारे कागजात बैंक के हैडक्वार्टर मे चले गए है । पार्लिमैंटरी कमेटी मे तो मै इस आरोप का साबित करने के लिए अपनी सारी शक्ति लगा दूगा । यह तथ्य मनगढन्त कहानी नही है, लेकिन सुनने मे एक उपन्यास जैसा लगता है । लेकिन यह सच है और ऐसा सच है कि जो सदन मे बैठे हुए किसी सदस्य का रूचिकर नही लग सकता । बात इतनी ही नही है । श्री तुलमोहन राम के विरुद्ध तीसरा आरोप है कि उन्होंने नरेला के एक व्यापारी को डालडा की एजेंसी दिलवाने का वादा करके 5400 रुपया लिया । इस बात के भी सबूत पेश किए जा सकते है । श्री तुलमोहन राम संसद सदस्य है उनके नाते लोग अपनी व्यथा कथा ले कर उनके पास आते हैं । उनका प्रभाव है । वह लोगो की मदद कर सकते हैं ।

एक ऐसा ही व्यक्ति खडा कला का निवासी श्री छोटू राम है । श्री तुलमोहन राम ने उनकी जमीन बिकवाई 33200 रुपये में । जमीन की रजिस्ट्री दस जनवरी 1974 को हुई । श्री छोटू राम के कथनानुसार उसी दिन श्री तुलमोहन राम ने अपने खाते में तीस हजार रुपये जमा कराए और उसी दिन स्टेट बैंक सहारनपुर का एक ड्राफ्ट भेजा गया । रुपया मिलना चाहिये था श्री छोटू राम को हड़प लिया श्री तुलमोहन राम ने । यह रकम और राम के बीच में जो होड लग रही थी उस में रावण भी मात खा गया । अभी तक करीब तेरह हजार रुपये वापिस किए गए है शेष श्री तुल मोहन राम के पास है । कुछ और भी तथ्य मेरे पास है—

श्री श्याम नन्दन मिश्र (बेगुसराय) यह तो पूरी जन्म पत्री है आपके पास ।

श्री अटल बिहारी वाजपेयी : यह जन्म पत्री नही, कर्मपत्री है ।

अब इस सदन मे ही नही बल्कि सदन के बाहर सारे देश में और विदेशों मे भी इस काट की चर्चा हो रही है । इस बात को लेकर विवाद उठ खडा हुआ है कि मामले की जाच कौन करे । यह माग बडे जोरों से उठ रही है कि चूकि यह संसद सदस्यों के आचरण का प्रश्न है, इस वास्ते इसकी जाच संसदीय समिति द्वारा होनी चाहिए । लेकिन सरकार अडी है इस बात के ऊपर की जाच पहले सी० बी० आई० द्वारा कराई जाएगी । लेकिन हम सी० बी० आई० के द्वारा जाच कराने के पक्ष में नही है । कारण स्पष्ट है । पहला यह कि सी० बी० आई० एक सरकारी एजेंसी है । ऐसे मामले जिन में प्रभावी व्यक्ति फसे हैं और उन से भी अधिक प्रभावी लोग उन्हे बचाने के लिए रात दिन एक कर रहे हैं, सी० बी० आई० से सही जाच की आशा नहीं की जा सकती है ।

[श्री अटल बिहारी वाजपेयी]

इस सारे काड के केन्द्रबिन्दु श्री ललित नारायण मिश्र हैं। उनके कथनानुसार उन्होंने आवेदन आने पर किसी अफसर से कहा कि इसको देखें—

श्री एल० एन० मिश्र ऐसा हमने नहीं कहा। जो कहा है उसको ध्यान से पढ़िये।

श्री अटल बिहारी वाजपेयी फिर क्या आवेदन श्री एल० एन० मिश्र अपनी जेब में रख कर अपने घर ले आए? यह समाचार पत्रों में छपा है कि उस फाइल पर श्री एल० एन० मिश्र ने कुछ लिखा। क्या यह गलत है? क्या यह भी गलत है कि जो मूल आवेदन है वह गायब कर दिया गया है। सचाई यह है कि इन फर्मों को लाइसेंस पहले न देने और बाद में देने के कागजात में हेरा फेरी की गई है। केवल इस ओर बैठे हुए सदस्य ही अनुभव नहीं करते, राज्य सभा के कांग्रेस के एक विशिष्ठ सदस्य श्री कृष्ण कान्त भी कह चुके है कि जांच सी० बी० आई० द्वारा नहीं होनी चाहिये। मै उनके शब्दों को उद्धृत कर रहा हूं

"CBI cannot do it. We know the CBI was headed by Mr. Darbari and now he is in the Railway Ministry. Therefore, no more CBI. It must be held by Parliament."

श्री श्यामनन्दन मिश्र अब श्री कृष्ण कान्त को कहीं निकाल न दें।

श्री अटल बिहारी वाजपेयी हम उनका स्वागत करने के लिए तैयार है।

तीसरी बात यह है कि प्रधान मंत्री इस काड पर सदन में नहीं बोली। आज उनकी अनुपस्थिति में हम अवगत हैं। यह काड बहुत दिनो से चर्चा का विषय बना हुआ है। वह इस सदन की नेता हैं। इस काड में उनके मंत्रिमंडल के सदस्य फंसे है, उनकी पार्टी के सदस्य फंसे हैं। क्या उनका यह कर्त्तव्य नहीं था कि वह इस के बारे में यहां बोलें। लेकिन वह नहीं बोली। अम्बाला में जा कर वह बोली। वहां जा कर उन्होंने क्या कहा है? उन्होंने कहा

"The Prime Minister yesterday criticised the opposition parties for raising the bogey of corruption. It only detracted attention from the grave economic and other problems facing the country. She said, 'after combing the length and breadth of the country, the opposition has found only four corrupt people—myself, my son Mr Bansilal and Mr Lalit Narayan Mishra."

श्री श्यामनंदन मिश्र हम दो हमारे दो।

श्री अटल बिहारी वाजपेयी हम दो हमारे दो। चलता है, चलने दो।।

जब प्रधान मंत्री श्री ललित नारायण मिश्र को अपने दर्जे पर रख रही है तो क्या सी०बी० आई० में किसी की हिम्मत हो सकती है जो इनके खिलाफ जांच कर सके? किस का माद्दा है उनको हाथ लगा सके? श्री ललित नारायण मिश्र को प्रधान मंत्री का पूरा संरक्षण प्राप्त है। सी० बी० आई० उनके मामले की जांच नहीं कर सकती है।

सी० बी० आई० के डायरेक्टर श्री टी० सेन की नियुक्ति किस तरह से हुई है, यह एक आम चर्चा का विषय है। पहले डायरेक्टर श्री अरूल को दिल्ली से मद्रास भिजवाने में जिन व्यक्तियों का हाथ था, आज के डायरेक्टर उन्हीं के हाथ का खिलौना बने हुए हैं, यह कहने की आवश्यकता नहीं है। हाल ही में श्री सेन को एक्सटेंशन

देने का फैसला किया गया। क्यों क्या देश में योग्य व्यक्तियों का अभाव है ? क्या सी० बी० आई० में कोई ऐसा नौजवान नही है कि जो इस गुरुतर दायित्व का निर्वाह कर सके ? उन्हें एक्सटेंशन दी जा रही है क्योंकि श्री सेन एक सुविधाजनक व्यक्ति रहे हैं। उन से जो चाहा कराया जाता रहा। एक्सटेंशन उनकी योग्यता का प्रमाण नही, उनकी सेवाओ का प्रतिदान है। उनकी कार्य कुशलता दक्षता तथा प्रशासनिक क्षमता की एक घटना मेरे ध्यान मे लाई गई है। 1970-71 और 1972-73 मे सी० बी० आई० ने विदेशो से "हाईली सोफिस्टिकेटिड इन्स्ट्रूमेंटस मगाए। उनका मूल्य करीब एक करोड रुपया होगा। यह सामान विशेष विमान से विशेष व्यवस्था कर के लाया गया। यह सामान रखने के लिए वातानुकूलित स्थान जरूरी है। किन्तु हालत यह है कि सामान का आयात कर लिया गया, उसे रखने का इतजाम नही किया गया। वह सामान अभी तक क्रेटो मे पडा है और बरबाद हो रहा है। डी० जी० एम० एण्ड डी० के डिप्टी डायरेक्टर ने पाच महीने पूर्व मिस्टर सेन को लिखा था कि सामान को ठीक तरह से रखने की व्यवस्था करे। मिस्टर सेन कहते है कि उस के लिए 16 राज्यो मे लेबोरेटरीज बननी है, जब वह बनेगी तब रखा जायगा। मगर फिर यह सामान मगाया क्यो गया ? अगर इस मामले की जाच की जाय तो इस के बारे मे भी ऐसे तथ्य निकलेंगे जो सदन को चौका देंगे। भ्रष्ट नौकरशाही तथा भ्रष्ट राजनीतिज्ञो के अपवित्र गठबन्धन का परदा-फाश कर देंगे। श्री सेन एक पार्लियामेंट्री कमेटी के सामने आए थे। श्री श्यामनन्दन मिश्र भी उस के सदस्य है। उन्होने श्री सेन से पूछा कि क्या सी० बी० आई० किसी मत्री के खिलाफ जाच कर सकती है ? श्री सेन का उत्तर था—नही। यह कार्य-वाही मे लिखा हुआ है। श्री समर गुहा भी उस कमेटी मे है। कुछ काग्रेस वाले भी थे जो बोल नही रहे है मगर मेरी बात की सच्चाई की दाद दे रहे है। अगर सी० बी० आई० मत्री की जाच नही कर सकती तो इस लाइसेंस काड मे यदि किसी मत्री का हाथ है तो सी० बी० आई० कैसे जाच करेगी ? मेरा निवेदन है कि ऐसे मामले मे सी बी आई प्रारभिक जाच भी नही कर सकती। मै वाणिज्य मत्री श्री डी० पी० चट्टोपाध्याय की स्मृति को ताजा करना चाहता हू। गत अधिवेशन मे मैने उन से प्रश्न पूछा था कि क्या यह सच है कि सी० बी० आई० के कार्यालय मे काम करने वाले दो अधिकारियो के विरुद्ध सी० बी० आई० ने इस आरोप की जाच की है कि उन्होंने बम्बई की एक फर्म को इम्पोर्ट लाइसेंस देने मे धाधली की ? मत्री महोदय के कहने पर मैंने उन अफसरो के नाम भी बताए—मिस्टर मनोचा और मिस उस्मानी। मन्त्री महोदय ने कहा कि ये दो व्यक्ति उन के कार्यालय मे है, किन्तु उन्हे इस बात का ज्ञान नही है कि उन के किसी आरचण की जाच सी बी आई ने की है। मत्री महोदय ने वादा किया था कि वे तथ्यो का पता लगाएगे। किन्तु उन्होने पता नही लगाया। यदि पता लगाया तो सदन को सूचित नही किया। अब इस मामले मे कुछ और तथ्य मेरे पास आए है। इस फर्म का नाम है माडर्न सिक्सटीन सिने लेबोरेटरी, बम्बई। इसे फिल्म रिडक्शन मशीन का एक ऐक्सेसरी लग्जेमीटर आयात करने के लिए 40 हजार विदेशी मुद्रा की स्वीकृति दी गई। यह स्वीकृति 10 अक्तूबर 1968 को दी गई। किन्तु कुछ ही दिन बाद 40 हजार की रकम बढा कर 2 लाख 92 हजार कर दी गई। क्यो की गई ? कारण यह बताया गया कि फर्म यह माग करती रही है। यह कोई वैध कारण नही था। फिर भी लाइसेंस दे दिया। इस लाइसेंस को दिलाने मे अय्यर नाम के एक व्यक्ति का हाथ था। मामला प्रारभिक जाच के लिए सी० बी० आई० को भेजा गया। उस मे पता लगा कि सारे

[श्री अटल बिहारी वाजपेयी]

कांड मे से एक ससद सदस्य सबधित है । अय्यर ने ससद सदस्य का नकद रुपया देने के अलावा एक रेडिओ ट्राजिस्टर, एक रूम कूलर और एक रेकार्ड प्लेयर भेट किया । सी० बी० आई० ने जिन दकानो से यह माल गया था उन से पूछताछ की और यह सिद्ध हो गया कि सारे सामान का पैसा अय्यर ने दिया है । सामान दूकानो से सीधे ससद सदस्य के घर भेजा गया । यह भी प्रमाणित हो गया । जब सी बी आई के अधिकारी ने समद सदस्य के घर की तलाशी ले कर माल बरामद करने की इजाजत मागी तो इजाजत नही दी गई । उस समय के होम सेक्रेटरी भी इस मामले मे रुचि लेते थे। यह 1968 की बात है । नतीजा यह हुआ कि मामला न केवल दबा दिया गया, उस ईमानदार अफसर का दिल्ली से तबादला कर दिया गया । सी०बी०आई० एक ससद सदस्य के मामले की जाच नही कर सकती, तथ्य को प्रकाश मे नही ला सकती, उन के पाप का घडा नही फोड सकती तो जिस मे मत्री लिप्त है वह मामला कैसे सी०बी०आई० के द्वारा तथ्य-परक जाच के लिए भेजा जा सकता है, यह मै नही समझ सकता ।

इस सदन मे ससदीय जाच की माग केवल प्रतिपक्ष ने नही की है, सत्तारुढ दल के सदस्यो ने भी की है । अगर समाचार पत्रो मे प्रकाशित रिपोर्ट सही है तो काग्रेस पार्लियामेंट्री पार्टी के 50 मेम्बर जिस मे कहा जाता है श्री भागवत झा आजाद, श्री शकर दयाल सिह, श्री कृष्ण कात शामिल है उन्होन प्रधान मत्री को स्मृति पत्र द कर सारा मामला ससदीय समिति को सौपने को कहा है । इस सदन मे भी आप ने 29 अगस्त को एक नो-डेट नेम्ड मोशन विचार के लिए स्वीकार किया है जो हमारे काग्रेसी मित्रो द्वारा दिया गया था । कहते हैं कि उस मे से दो ने अपने नाम वापस ले लिए । मगर बाकी अभी तक डटे हुए है । उन का मोशन यह है कि

no-date-moved motion

"This House resolves to appoint a Parliamentary Committee to go into all questions arising out of replies given to Starred Question No 730 on the 27th August, 1974 in the Rajya Sabha"

आप जनमत को ले, समाचार पत्रो की राय ले, आम अवामी की राय ले सब इस सबध मे एक मत है कि इस काड के तथ्य तब तक सामने नही आ सकते जब तक कि सारा मामला एक ससदीय समिति को नही सौपा जायगा ।

मै अपनी बात को उपसहार की ओर ले जाना चाहता हू । जब हम इस मामले पर विचार करते है तो हमे मुदगल काड की याद आती है । श्री मुदगल भी लोक सभा के सदस्य थे । वे भी काग्रेस पार्टी के मेम्बर थे । उन्होने बम्बई स्टाक एक्सचैंज के प्रेसीडेंट और कुछ डायरेक्टरो को उस समय के वित्त मत्री श्री देशमुख से मिलाना चाहा । वित्त मत्री ने मिलने से इन्कार कर दिया ।

श्री दशमख ने लिख :

"I do not understand why the Bombay Stock Exchange members should seek to make an appointment with me through you I would prefer to deal directly with any request that they may have to make"

SHRI SHYAMNANDAN MISHRA that was the Congress Party in those days.

SHRI PILOO MODY (Godhra): The virtue lay in the fact that Shri Deshmukh was not a Member of the Congress Party.

श्री अटल बिहारी वाजपेयी एक आरक्षण का वह स्तर था । आज यह है कि

वाणिज्य मंत्री को कोई भी लाइसेंस की सिफारिश वाला मेमोरेंडम दे सकता है । न केवल दे सकता है बल्कि उन से लाइसेंस भी ले सकता है । श्री मुद्गल ने ससदीय जाच से बचने के लिए काग्रेस पार्टी द्वारा जाच का सुझाव दिया । लेकिन पडित जवाहर लाल नेहरू ने उसे ठुकरा दिया । उन्होने 27 मई 1951 को मुद्गल के नाम अपने पत्र मे लिखा

"You suggest that an inquiry be made by the Congress Party. I am afraid this is neither feasible nor desirable as the whole House is concerned with this matter It is not a party question"

इतना ही नही श्री मुद्गल ने देश मे उस समय विद्यमान वातावरण का हवाला देकर कहा कि उन के खिलाफ जाच कराने के "अनफोरसीन रिपरकशस" हो सकते है । पडित जी ने एक वाक्य मे उसको समाप्त कर दिया । अपने जवाब मे उन्होन लिखा—

"I do not understand your reference to 'unforeseen repercussions' in the existing atmosphere in the country"

प्रधान मत्री स्वय श्री मुद्गल के विरुद्ध प्रस्ताव लाए । एक ससदीय समिति बनी, उस कोर्ट आफ आनर का दर्जा दिया गया । वह कोई भी कागज मगा सकती थी, किसी भी व्यक्ति को गवाही देने के लिए बुला सकती थी । वह किसी टकनिकल रूल मे बधी हुई नही थी । उस का उद्देश्य था— ascertainment of truth

fairplay and justice to all concerned."

आज हमारी सरकार, सरकार के मत्री और उन की नेत्री प्रधान मत्री सारे मामले पर ससदीय जाच के लिए तैयार क्यो नही है ? साच को आच क्या? काग्रेस के सदस्य कह चुके है कि उनके दस्तखत जाली थे । ये जाली दस्तखत किस ने बनाए ? ये दस्तखत कहां बनाय गए ? यह दस्तखत बनाने की आवश्यकता क्यो पडी? यह दस्तखत किसके घर पर बैठ कर बने । क्या इन बातों की जाच आवश्यक नही है ? सी० बी० आई० नही जाच कर सकती है ।

जिस दिन इस सदन मे सदस्यो न खडे होकर कहा कि हमारे दस्तखत जाली बनाये गये, हमने दस्तखत नही किये उसी दिन सारा मामला इस ससद की सम्पत्ति बन गया । अब ससद सदस्यों का आचरण सदन की जाच का विषय होना चाहिए किसी बाहरी एजेंसी की जाच का बिषय नही । मेरे पास समय नही है, इस प्रश्न पर राज्य सभा की विशेषाधिकार समिति ने गहराई में जाकर चर्चा का है बिल आफ राइटस के साथ आर्टिकल के अनुसार ससद सदस्य इस सदनमें जो कुछ कहते है उस पर सदन जाच कर सकता है, कोई बाहरकी एजेन्सी जाच नही कर सकती है । आज इस परम्परा को भी ठुकराया जा रहा है । उस दिन इन सदस्यों ने इस सदन से सरक्षण माग था अध्यक्ष महोदय, आपसे भी सरक्षण का माग की थी और अब सरक्षण के बजाये इनकी सी०बी०आई० को दया पर छोडा जा रहा है ।

सी बी आई मामला तय करने में सालों लगाती है । आपने दोबारा घटी बजा दी । मेरे पास मसाला बहुत है । (व्यवधान) मूधडा काण्ड के कुछ हिस्सों के मामले को जाच अभी तक सी बी आई कर रही है, जाच पूरी नही हुई है । (व्यवधान) अहमदाबाद के एक उद्योगपति के घर पर छापा मारा गया, सीबीआई को जाच सौप दी गई, वह उद्योगपति हाईकोर्ट में चला गया और सी बी आई को जाच रुक गई । ससदीय समिति की जाच नही रुक सकती है सी बी आई की जाच रुक सकती है ।

अभी बम्बई के साप्ताहिक ने बसुमती के बारे में छापा है, कलकत्ता हो गए सीबीआई जाच कर रही है ।

[श्री अटल बिहारी वाजपेयी]

जब श्री अशोक सेन सत्तारूढ दल में होने के साथ साथ सत्तारूढ गुट में भी थे, तब तक मामला दबा रहा अब जब वे दल में तो हैं लेकिन दलदल से निकलने का थोडा प्रयास कर रहे है तब मामला तेज कर दिया गया है ।

मैं कहना चाहता हू कि देश मे इस समय मूल्यो का सकट है । मूल्य केवल भौतिक अर्थ में नही केवल आवश्यक वस्तुओ के मूल्य नही, देश में नैतिक मूल्यों का भी सकट है । सदन की प्रतिष्ठा दाव पर लगी है । सदीय लोकतन्त्र कसौटी पर कसा जा रहा है। आज ससदसदस्यों का चार दलाल कहा जाता है इस सदन को चारों दलालों के अड्डे के रूप मे वर्णित किया जाता है । क्या हमारा यह दायित्व नही है कि हम अपने नाम पर लगी हुई कालिख को धोये ? क्या हमारा अधिकार नही है कि हम इस मामले की तह में जाकर तथ्यों का समन लाये जो अपराधी हों उनको कठघडे मे खडा करे और जो निर्दोष हो उनकी निर्दोषिता प्रमाणित करे ? इसी भाव से मैं यह अपना प्रस्ताव लाया हू ।

मैं कांग्रेसी मित्रों से कहना चाहता हु इसमें पार्टी का सवाल नही है, लोकतन्त्र अगर भ्रष्टाचार से ग्रसित हो जायेगा अगर लोकतन्त्र की जडे भ्रष्टाचार खोखला कर देगा तो फिर लोकतत्र जनता का कल्याण तो कर ही नही सकता, लोकतन्त्र जीवित भी नही रह सकता ।

आज अनेक सकट हमारे सामने है मगर सबसे बडा सकट है राजनीतिज्ञो की प्रमाणिकता मे जनता का बढता हुआ अविश्वास । केवल कुछ लोग कठघडे मे नही खडे है, हम सब जनता के सामने मुह दिखाने मे लज्जित हैं । क्यो नही पार्लमेन्टरी कमेटी की जाच मान ली जाती ? इस मामले पर विधि मत्री के दो बयान हैं, वे परस्पर विरोधी बाते कहते हैं । कहते है सी बी आई इन्वेस्टिगेशन कर रही है, इन्वेस्टिगेशन कम्प्लीट होगा तब देखा जायेगा । फिर कहते हैं देखेगा तो कोर्ट ही देखेगा । फिर कहा बाद मे चाहे तो हाउस देख सकता है । मेरे पास समय नही है उनके पूरे भाषण उद्धत करने का, लेकिन विधि मत्री के द्वारा ऐसे लचर तर्कों की मैं आशा नही करता था । यह सारे तर्क गढे जा रहे है ससदीय जाच का टालने के लिए । आज आप बहुमत के बल पर मेरा प्रस्ताव ठुकरा सकते हैं लेकिन जनता की अदालत मे फैसला आपके खिलाफ होने वाला है —इसको याद रखियेगा ।

MR SPEAKER Motion moved

"That this House resolves that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard"

About this motion, you will kindly note that I have received a number of amendments to the main motion by Shri Vajpayee One is by Shri Madhu Limaye, one each, by Sarvashri Samar Guha, Banerjee, B V Naik Janeshwar Mishra, Shenoi, Nimbalkar, Mavalankar, Sezhiyan etc

I think they are 16 in number All them are treated as moved There is not one—there are so many of them

SHRI MADHU LIMAYE (Banka): I beg to move

That in the Motion,—

for "that with a view to ensure high standards of conduct in public

life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard"

substitute—

"to set up a Committee consisting of 17 Members, 8 from the Opposition including the Chairman and 9 from the Ruling Party to probe the following —

(a) Whether the signatures on the memorandum recommending grant of licences to certain parties allegedly signed by 21 members of Lok Sabha or any of them are genuine,

(b) Whether the applications for licences of those parties had earlier been rejected

(c) Whether any irregularity was committed by the Ministry of Foreign Trade/Commerce in amending the notification with a view to include some parts of the Union territory of Pondicherry for the benefit of the parties,

(d) Whether the processing of this memorandum of M Ps was done when Shri L N Mishra was Minister of Foreign Trade and whether the decision to clear the licences was made in principle during his tenure of office;

(e) the responsibility of the Minister of Commerce Prof Chattopadhyaya, in the issuance of the licences,

(f) whether any of the alleged Member signatory lied in denying the genuineness of his signature accepted any gratification or otherwise committed impropriety or misdemeanour,

(g) the responsibility of the officers of the Commerce Ministry or any other officer under the Central Government in this regard,

(h) whether the parties to whom the licences were issued were black-listed and were reported to have doubtful antecedents by any of the Government agencies,

(i) whether these parties have been trafficking in the licences and have violated the conditions attached to the Letter of Authority or other rules

(j) whether the Ministry of Foreign Trade/Commerce and any Member or Members of Lok Sabha any officials the licencees and other citizens were involved in the offering and taking of gratification,

and other matters which in the opinion of the Speaker or the Committee Chairman is relevant

The House further resolves that the Committee give a preliminary report during the Winter Session of Lok Sabha" (1)

SHRI SAMAR GUHA (Contai) I beg to move

That in the motion,—

for "11 Members" *substitute* "15 Members". (2)

That in the motion,—

add at the end—

"and for appropriate and adequate examination of the whole issue, preliminary report of the CBI in this regard and all documents connected with the case which are in possession of the CBI and the Ministry of Commerce be seized immediately and kept in the custody of the Speaker and all investigations about the cases and other measures thereof registered according to different provisions of the Penal Code be suspended forthwith". (3)

SHRI S. M BANERJEE (Kanpur): I beg to move.

That in the Motion,—

for "that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee Comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard."

substitute—

"to constitute a Committee of the House consisting of 15 Members, to be nominated by the Speaker, to conduct an inquiry to identify the persons, circumstances and factors that have tended to lower the dignity of the Lok Sabha as a whole as a result of alleged association of names of some Members of Lok Sabha with the recommendation letter for the grant of licence to the parties referred to in reply to Starred Question No. 730 in the Rajya Sabha on 27-8-1974 and that the Committee may submit an interim Report on the first day of Winter Session." (4)

SHRI B. V. NAIK (Kanara): I beg to move:

That in the motion,—

add at the end—

"and that the eleven members nominated to the Committee be those who have honestly worked for their living all their lives and who will make a statement of their financial position before, during and after the above parliamentary probe" (5)

SHRI JANESHWAR MISRA (Allahabad): I beg to move:

That in the motion,—

add at the end—

"and further resolves that the Committee may submit its first report before the commencement of the next Session of Lok Sabha and that the proceedings of the enquiry to be made by the Committee be conducted as an open enquiry (open for Press and public)". (6)

SHRI P. R SHENOY (Udipi): I beg to move:

That in the motion,—

after "mentioned in the representation" *insert*,—

"and also all cases of licences in various Ministries and departments of the Government of India in which any member or members of 5th Lok Sabha has or have or presumed to have made any recommendation or representation to any Minister or official of the Government". (7)

SHRI MADHU LIMAYE: I beg to move:

That in the motion,—

for "and the actual allotment of licences to parties mentioned in

the representation and to make necessary recommendations in that regard"

substitute—

"the details of the licences given to the parties, the charges about illegal trafficking in these licences the question of gratification to the signatories, justification, if any, for the demands that the Minister concerned be removed from office and officers involved suspended during the pendency of the inquiry, and to make the necessary recommendations in that regard with a view to providing guidance for the future (8)

SHRI SAMAR GUHA I beg to move

That in the motion,

add at the end—

"and for appropriate and adequate examination of the whole issue preliminary report of the CBI in this regard and all documents connected with the case which are in possession of the CBI and the Ministry of Commerce be seized immediately and kept in the custody of the Speaker and all investigations about the cases and other measures thereof registered according to different provisions of the Penal Code be suspended forthwith and the terms of reference of the Parliamentary Committee should include examination of, (a) the original text of the joint signatures and the date and the names of the officers who received the recommendation of the 21 M Ps, (b) noting made over it by the former Foreign Trade Minister, (c) whether any verification of the signatures was made before issuing the licences, (d) name or names of the officers who sanctioned the licences, (e) whether the Minister concerned was consulted and whether he made any noting over the applications for licences, (f) names of the licences and the amounts of licences issued in each case, (g) whether the licencees were black-listed earlier and if so, the reasons for issuing licences to them (h) whether the licences were sold out, and if so, to whom and on what conditions and whether intermediary agencies worked for transfers of such licences and when such licences were utilised for imports, (i) why and when CBI inquiry for verification of signatures of M Ps was ordered and whether the editor of *Blitz* was contacted and if so the text of the report of examination of the said editor, (j) when preliminary report of CBI was submitted and whether an interim report was also sent to the concerned Ministry, (k) whether the Prime Minister and the Minister of Foreign Trade were informed about the matter and if so, their reaction thereabout, (l) why the signatories and Parliament were not informed about the CBI inquiry earlier (m) what are the relevant papers and with whom such papers have been kept, (n) whether the CBI was given the original signatures of the M Ps along with the joint recommendation or their photostat copies were given to them, (o) when was the preliminary report of CBI received and it was examined by whom (p) the text of the preliminary report of the CBI (q) when fulfledged CBI inquiry was ordered and registering of cases against the licences, (r) the text of the order issued for fulfledged inquiry into the matter and the terms and conditions of such inquiry and other related matters as may be decided by the Parliamentary Committee" (9)

SHRI NIMBALKAR (Kolhapur): I beg to move:

That in the motion,—

after "nominated by the Speaker" *insert*—

"who, in his opinion, are capable of complete impartiality and justice" (10)

SHRI P G. MAVALANKAR: (Ahmedabad): I beg to move:

That in the motion,—

for "11 Members" *substitute* "15 Members". (11)

That in the motion,—

after "11 Members" *insert*—

"representing various parties and shades of opinion in the House". (12)

That in the motion,—

add at the end—

"and, with a view to ensuring further that the whole examination by the said Parliamentary Committee is independent and impartial, all investigations and inquiries including the one by CBI be carried on under the direct supervision and regulation of the said Committee, and for that purpose, all necessary and relevant papers and documents be put promptly under the custody of the Speaker, so that such a free and fearless investigation into the truth of the entire episode clears the whole climate fully and effectively" (13)

SHRI M C DAGA (Pali): I beg to move:

That in the motion,—

add at the end—

"after the findings of the present C.B I inquiry have been announced and the House has given its opinion thereon" (14)

SHRI ATAL BIHARI VAJPAYEE

That in the motion,—

add at the end—

"The House further resolves that in so far as Shri Tulmohan Ram, one of the alleged signatories to this representation is concerned, his conduct ever since the revelation of this licences' issue amounts, *prima facie*, to an admission of guilt, and that, therefore, pending the completion of the probe Shri Tulmohan Ram be suspended from the service of the House." (15)

SHRI SEZHIYAN (Kumbakonam): I beg to move:

That in the motion,—

add at the end—

"and that the Central Bureau of Investigation shall submit to the Committee by 30th September, 1974 its report of verification/investigation in the matter along with all documents and evidence available with them and shall render further assistance as required by the Committee" (16)

श्री चन्द्रजीत यादव (आजमगढ़) अध्यक्ष जी अभी वाजपेयी जी ने जो प्रस्ताव रखा है और अपने प्रस्ताव के सम्बन्ध मे उन्होने अपने भाषण मे जिन तथ्यो को सामने रखा है, जहा तक माहे और यनम की उन फर्मो का सबध है जिन्हे यह लाइसेस दिए गए, वाजपेयी जी ने स्वयं इस बात को स्वीकार किया है कि वह फर्में पहले से आयातक थी (व्यवधान)

श्री अटल बिहारी वाजपेयी: मै ने पूछा है।

श्री चन्द्रजीत यादव वह फर्में पहले से आयातक थी। यह बात भी सही है कि वह फर्में काली सूची पर नही थी। यह बात भी सही है कि यह फर्में पिछले 14 वर्षों मे, जबसे इनको लाइसेंस दिए गए, इस बात की माग कर रही थी कि उनके साथ न्याय नही हुआ है, उनके साथ भेदभाव हुआ है और इसलिए जो उनका हक है, जो उनका अधिकार है वह उन्हे मिलना चाहिए। (व्यवधान)

अध्यक्ष महोदय जब वाजपेयी जी बोल रहे थे, उनको किसी ने रोका नही, अब आप भी न रोकिये। ऐसे गम्भीर प्रश्न में आप दूसरे पर रुकावट डालेंगे तो वह अच्छा नही है।

श्री चन्द्रजीत यादव : अध्यक्ष जी, यह बात सही है कि जितना विलम्ब उन फर्मों को लाइसेंस देने में और उनकी बातों को मानने में हुआ, मैं समझता हूं खुद यह बात सरकार के लिए एक नसीहत की होनी चाहिए कि अब उसके कायदे कानूनों व नियमों तथा कामों को करने में परिवर्तन होना चाहिए। कोई फर्म हो या कोई भी व्यक्ति हो अगर उसको इन्साफ मिलने में या उसके काम के होने में अनावश्यक विलम्ब होता है तो इस तरह की परिस्थितियां पैदा होती है जोकि दुर्भाग्यपूर्ण होती है।

श्री तुलमोहन राम जी के बारे में वाजपेयी जी ने बहुत तथ्य रखे है। इस सदन में पहली बार यह तथ्य आये है। मैं समझता हूं एक माननीय सदस्य के आचरण से यह सम्बन्ध रखता है, यह एक गम्भीर बात है. जब इस माननीय सदन के एक माननीय सदस्य के बारे में वे इस तरह की बात करते हैं तो वे उनकी गम्भीरता को समझकर कहते हैं और मैं समझता हूं उसके पीछे कोई तथ्य होंगे, उनकी कुछ जानकारी होगी। उनके जैसे व्यक्ति से मैं आशा करता कि वे कोई आधारहीन बात, निराधार बात कहने का प्रयास करेंगे वह अपने में एक गम्भीर बात है, वह सदन के सामने रखी गई है, माननीय तुलमोहन राम जी स्वयं इस सदन के एक सदस्य हैं, उनको इस बात का मौका जब भी मिलेगा (**व्यवधान**) वह हैं, नहीं हैं, मैं नही जानता कहां है, ठीक है आज सदन में उपस्थित नहीं है लेकिन उन्हें भी इस बात का मौका मिलेगा कि वे इस बात की सफाई दें। लेकिन मैं यह कहना चाहता हूं माननीय वाजपेयी जी ने जिन तथ्यों को सामने रखा है उन तथ्यों को सदन के नेता के सामने रखें और जो भी उनके पास प्रमाण हैं वह उनको दें। कोई भी नहीं चाहेगा कि सदन का कोई भी माननीय सदस्य इस तरह का आचरण करे जिससे स्वयं उसकी और इस सदन की प्रतिष्ठा को धक्का पहुंचे, वह सदन जो हमारे प्रजातन्त्र में हमारी जनता की आकांक्षाओं, आशाओं और कार्यक्रमों की गरिमा का प्रतीक है। तो यह बात अपनी जगह पर सही है, इस में कोई दो रायें नही हो सकतीं। प्रश्न यह पैदा होता है कि यह प्रश्न इतना गम्भीर रूप क्यों धारण कर गया? मेरी सूचना है, मंत्री महोदय बतायेंगे जब तथ्यों को सामने रखेंगे कि इन फर्मो को लाइसेंस देने में कोई गलत तरीका नहीं अपनाया गया। इन फर्मों का अपना दावा था कि उन्हें लाइसेंस मिलना चाहिये था। प्रश्न यह है कि मंत्री जी ने कोई लाइसेंस दिया या उन के विभाग ने दिया बगैर पूरी जांच पड़ताल किये हुए, या तथाकथित 21 सदस्यों ने एक आवेदन प्रस्तुत कर दिया उस के आधार पर लाइसेंस दे दिया बगैर किसी जांच के ? मैं समझता हूं इस को पहले भी मंत्री महोदय कह चुके हैं कि इस से कोई सम्बन्ध उन का नही है, और माननीय बाजपेयी जी स्वयं इस बात को मानते है और मैं समझता हूं कि सही मानते हैं कि हमेशा इस सदन के सदस्यों को इस बात का अधिकार है कि अगर कोई आदमी उन के पास जाय और यह कहे कि हमारे साथ इन्साफ़ नही हुआ है, मारे साथ अन्याय हुआ है आप हमारी सहायता करें तो सदस्य उस की सहायता करने में, अगर वह ईमानदारी से सहायता करता है, कोई गलत बात नहीं करता है, कोई रुपया या घूस नहीं लेता है, तो उस का यह अधिकार है, और इस में कोई गलत बात नही है। लेकिन मंत्रालय का भी यह काम है कि मंत्रालय केवल सदस्य के लिखने से ही नहीं बल्कि यह देखे कि कहां तक सच्चाई है, कहां तक उन्हें इस बात का हक हैं कि वह काम उन का होना चाहिये यह मंत्रालय को जांच पड़ताल कर के देखना चाहिये।

17 hrs.

इस पर पहले भी मंत्री महोदय ने कहा है कि उन्हें इस प्रकार का मैमोरेन्डम मिला। लेकिन ममोरेन्डम के आधार पर नहीं बल्कि गुण और दोष देख कर के उन फर्मों को लाइसेंस

[श्री चन्द्रजीत यादव]

दिया गया। प्रश्न यह गम्भीर आता है कि इस मे 21 सदस्यो का नाम आया। 21 में से 20 माननीय सदस्यो ने इस सदन मे खडे हो कर यह कहा कि उन्होने हस्ताक्षर नही किये। अब माननीय वाजपेयी जी पूछते है किसी के अन्दर इतना नैतिक बल होगा कि खडे होकर कहता जब उस ने हस्ताक्षर किया ही नही उसे इस बात की जानकारी ही नही है, तो जो उसे पहला अवसर प्राप्त हुआ जब सी० बी० आई० के अधिकारी पूछने गये और जब उन्हे इस बात की जानकारी हुई कि हमारे हस्ताक्षर किसी आवेदन पर है जिस पर उन्होने हस्ताक्षर नही किये है, तो पहला अवसर मिलने पर उन्होन इस बात से इन्कार किया, उन्होने कहा कि हमारे हस्ताक्षर नही है।

सवाल उठाया गया कि सी० बी० आई० को क्यो दिया गया ? आप जानते है एक माननीय सदस्य ने आप का एक पत्र लिखा, आप के मन्त्रालय को लिखा, मन्त्री ने यह समझा इस का वेरीफिकेशन जरूरी है देख लिया जाय कि कहा तक सच्चाई है किसी के हस्ताक्षर है कि नही, इसलिए उन्होने एक ऐसी एजेन्सी को जो ऐस्टेबलिश्ड है जिस के द्वारा जाच होती है। पुलिस के द्वारा जाच होती है। सी० बी० आई० के द्वारा जाच होती है, सी० आई० डी० के द्वारा जाच होती है, उन्होने यह समझा कि मामला गम्भीर है इसलिए सी० बी० आई० के एक उच्च अधिकारी को जाच के लिए दे दिया। तो 20 सदस्यो ने पहला अवसर मिलते ही इस बात से इन्कार किया कि हमारा कोई वास्ता है। और जब राज्य सभा मे उन के नामो की चर्चा हो गई तो पहला अवसर मिलते ही उन्होने इस सदन मे कहा कि हम को इससे कोई मतलब नही है, हम निर्दोष है, हमारे हस्ताक्षर फर्जी है, जाली है।

अब प्रश्न यह होता है कि इस की जाच करने के लिए क्या सीधे पार्लियामेंटरी कमेटी बनायी जाय या और कोई तरीका हो सकता है। प्रश्न यही है, और कोई प्रश्न नही है। अब दूसरा प्रश्न लाया जा रहा है। मै कहना चाहता हू कि जो सी० बी० आई० ने इस वक्त तक ऐफ० आई० आर० लाज की है उस मे उन्होने कहा है कि इस केस मे फोरजरी हुई है, इस केस मे चीटिंग की धारायें इन्वाल्व्ड है (व्यवधान)

श्री मधु लिमये अध्यक्ष महोदय, मेरा पाइट आफ आर्डर है। बिजनेस ऐडवाइजरी कमेटी मे आप को याद होगा कि मैंने कहा था कि एफ० आई० आर० फाइल किया जायेगा, कोर्ड ओबलाईजिंग मजिस्ट्रेट कानीजेम लेगा। ऐफ० आई० आर० का कागज शायद माननीय सदस्य ने देखा है। हम लोगों को देखने का क्यो नही मिला ? इस सदन को टेबिल पर क्या नही रखा गया ? अगर इस प्रस्ताव पर ठीक से बहस करना चाहते है तो सब से पहले माननीय वाजपेयी को आप को देना चाहिये था और हम लोगो को देना चाहिए था। क्या इन लोगो को ब्रीफ किया गया है ? (व्यवधान)

श्री अटल बिहारी वाजपेयी . विधि मत्री महोदय दो बार बोले। उन्होने क्या नही बताया ऐफ० आई० आर० मे क्या लिखा गया है ?

श्री मधु लिमये . हम लोगो को दस्तावेज मिलने चाहिये। इन लोगों को निजी ढग से सरकार न यह सारे दस्तावेज दिये हैं, और यहा पर वकालत की जा रही है। हम लोगो को ऐफ० आई० आर० मिलना चाहिए।

SHRI K P UNNIKRISHNAN (Badagara) Sir, here is an allegation which has come from Mr Madhu Limaye It has to be repudiated Now, Mr Chandrajit Yadav has only said apparently a forgery has been committed I come to the point FIR is a public document (*Interruptions*)

श्री मधु लिमये कही उन्होंने ऐप्लीकेशन दी थी ? स्टाम्प लग कर अर्जी दी थी ? हा या नही कहिए (व्यवधान)

श्री अटल बिहारी वाजपेयी अध्यक्ष जी, अब यह एक गम्भीर मामला है। अगर ऐफ० आई० आर० दाखिल किया गया है तो विधि मत्री ने यह तथ्य सदन से क्यो छिपाया ? उन्होंने यह क्या नही कहा एफ० आई० आर० दाखिल किया गया है। उन्होंने यह नही कहा ऐफ० आई० आर मे क्या क्या चीजें है। यह बात कांग्रेस के मम्बरो को कैसे मालूम है ? जब केस रजिस्टर किया गया तब उन को पूछा गया था कि रजिस्टर का मतलब यह है। कि आप इस केस के बारे म प्री एमटिव एक्शन ले रहे है। उन्होंने यह नही कहा ऐफ० आई० आर दाखिल किया गया है।

SHRI SHYAMNANDAN MISHRA (Begusarai) Sir, on a point of order The point is this that earlier, we had repeatedly asked the hon Minister of Law to tell us as to what had been registered and when But, he refused to give us any information about that Now, it appears that all that has been made available to the Members of the ruling party The House has been meeting all the time But, this information has been withheld from the House I would like to know, whether it was proper to do

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H R GOKHALE) Sir, I have not kept back anything Actually, when I dealt with this matter, on the earlier occasion, one hon Member wanted to say and put it in my mouth that the matter has gone to Court I said, the matter has not gone to Court, and therefore, it is not sub judice (*Interruptions*) You are asking me an explanation and I am giving it What I said was, a case has been registered in respect of what appears to be commission of some offences, that a case has been registered, investigation has commenced and that we have to await the results of the investigation Anyone who knows even a little of how the criminal law is set in motion would know that when a case is registered in respect of certain offences, it always begins by way of first information report I may not have used the word 'first information report But, as I said, a case has been registered, it has not gone to Court Investigation has commenced Any investigation can commence only on first information report

SHRI SHYAMNANDAN MISHRA Was it not the duty of the Government to tell us what was the content of the FIR, when the House was seized of it? Why was the Government withholding it from us?

MR SPEAKER Now, any case that is registered is on FIR The F I R is an accessible document and the rule on accessible documents is that they are not produced in the House

SHRI SHYAMNANDAN MISHRA No Sir this applies to documents in Parliament Library, not to documents outside

श्री मधु लिमये यह एक स्पेशल केस है।

SHRI SHYAMNANDAN MISHRA: He did not want to give the date on

which the F.I.R. was filed. I ask you: did he not refuse to give the date on which the FIR was filed? He said a couple of days ago. Why was the Minister so hesitant?

SHRI JYOTIRMOY BOSU: All that I want to know from the hon. Law Minister is why he had chosen to use the word 'registered' instead of mentioning that it was the F.I.R. Surely, he knows how to take the House for a ride (*Interruptions*).

SHRI NOORUL HUDA (Cochar): Unless the F I R. is lodged in the court, it does not become a public document

श्री चन्द्रजीत यादव आपने सही रूलिंग दिया है और सही कहा है कि वह पब्लिक डाकुमेंट है और कोई भी उसे देख सकता है। सीक्रेट डाकुमेंट इस सदन में तीन दिन पहले लिमये जी ने पेश किया था

श्री मधु लिमये मैं मेज पर रखने के लिए तैयार हूं। इन्होंने मेरी चुनौती स्वीकार नहीं की।

श्री चन्द्रजीत यादव हमारे अधिकार को चुनौती नहीं आप दे सकते है। मुझे भी सूचना है कि उस में फोर्जरी, चीटिंग के अलावा यह कहा गया है कि उस में कास्पिरेसी है और यह भी कहा गया है कि इलीगल ग्रेटिफिकेशन उस में इनवाल्व्ड है। ये क्रिमिनल आफेंसिस हैं। क्या संसद बैठ कर इन बातों की जांच करेगी कि कितने लोग इनवाल्व्ड है बाहर के किसी आदमी ने जाली हस्ताक्षर किए है, किस ने घूस ली है। कास्पिरेसी किस ने की है। सदन का अधिकार नहीं है कि अंडर दी ला आफ दी लैंड जो क्राइम कमिट हुआ है उसका यह कागनिजेंस ले। यह ब्रिटिस पार्लियामेंट की भी मानी जानी परम्परा है। हमारे सदन की भी है। अगर किसी सदस्य के आचरण सम्बन्धी काम है या सदन का ब्रीच आफ प्रिवलेज हुआ है या सदन का कंटेम्प्ट हुआ है या सदन की मान हानि का प्रश्न है, सदन के विशेषाधिकारों का प्रश्न है तो उसका यह सदन नोटिस लेगा लेकिन आज जो तथ्य सामने आए है उन से यह प्रतीत होता है कि कई ऐसी धाराये है जिन के अन्दर केस रजिस्टर हुआ है, क्रिमिनल आफेंस हुआ है और अब उस क्रिमिनल आफेंस की जांच कौन करेगा? दुनिया के हर देश मे इस तरह के आफेंस की जांच कोई एस्टेबलिश्ड तथा आर्गेनाइज्ड एजंसी करती है और हमारे देश मे चाहे न्यायपालिका हो या पुलिस हो या सी बी आई हो वही उसकी जांच करती है।

सब से बडी बात यह है। कि बीस सदस्यो ने कहा है। कि उनका वास्ता इससे नहीं है। वाजपेयी जी ने बहुत से प्रश्न उठा दिए है और कह दिया है कि पार्लियामेंटरी कमेटी बना दो। अब वहां पर साल दो साल मामले को लटकाए रखा जाए तो क्या होगा? उनके हस्ताक्षर है या नहीं इसकी जांच कौन करेगा? इंटरांइटिंग एक्सपर्ट ही तो उसकी जांच कर सकता है। वहां जांच पडताल हो जाएगी तो यह साफ हो जाएगा कि जो बीस सदस्यो ने बयान किया है, उनका इससे सम्बन्ध है या नहीं है।

अब प्रश्न यह है कि जो बीस सदस्य है उनका दोष है या नहीं है। संयोग की बात यह है कि इन बीस सदस्यो के नाम लिख दिए गए है, उनके हस्ताक्षर जाली बना दिए गए है। अब किसी का भी नाम लिखा जा सकता था, हमारा लिख सकते थे, वाजपेयी जी का लिख सकते थे, एस एन मिश्र का लिख सकते थे और भी कोई सदस्य हो सकते हैं जिन के सिगनेचर फोर्ज कर सकते थे।

वाजपेयी जी ने इस काड के सम्बन्ध मे कई तथ्य दिए है। इस सम्बन्ध मे आपने मुडगिल का हवाला भी दे दिया है। लेकिन वह केस अलग था। उस केस मे कोई क्रिमिनल आफेंस इनवाल्ब्ड नही था। एक सदस्य ने यह तय किया था कि वह सदन मे सवाल पूछेगा, मिनिस्टर्ज के पास रिप्रिजेंटेशन्ज करेगा, लोगो की उनके पास वकालत करेगा और ऐसा करने के लिए उन से वह पैसा लेगा। अब इस मे एक सदस्य का परसनल कनटक्ट इनवाल्ब्ड था। मार्च 1951 मे जब यह तथ्य प्रधान मन्त्री के सामने आया तो उन्होंने इसकी पूरी जाच कराई। मार्च मे यह तथ्य उनके ध्यान मे आया और जून मे उन्होंने प्रस्ताव सदन के सामने रखा। इस मे तीन चार महीने लग गए। जाच कराने मे तथा तथ्यों का सदन के सामने रखने मे तीन चार महीने लग गए अब वाजपेयी जी कहते है कि फौरन पार्लिमेंटरी कमेटी बिठा दो और मामले को उसके सुपुर्द कर दो। ऐसा प्रतीत होता है कि वाजपेयी जी की बहुत हमदर्दी उनके साथ हो गई है। हमदर्दी होना अच्छी बात है। वाजपेयी जी ऐसे आदमी है जिन की हमदर्दी सब के साथ होनी चाहिए चाहे वह किसी भी पार्टी का हो। लेकिन प्रश्न हमदर्दी दिखाने का नही है। प्रश्न पैदा होता है कि जो बीस सदस्य इनवाल्ब्ड है उनके बारे मे कैसे और कौन जाच करे, सी० बी० आई० करे या कोई दूसरी एजंसी करे। प्रमाण मौजूद है कि सदन के सदस्यो मे से कुछ ने इस के पहले भी क्रिमिनल आफेंस किए है। उनकी जाच किस ने की। पुलिस ने ही तो की। सजा अदालतो ने दी। सदन का उससे कोई मतलब नही था। वह परसनल कनटक्ट था। इस वास्ते सदन ने उसका नोटिस नही लिया।

अब यह कहा गया है कि सी० बी० आई० की जाच पर हमे विश्वास नही है, वह पक्षपात करेगी, निष्पक्ष जाच नही करेगी तो इसके बारे मे मेरा निवेदन है कि विरोधी दलो का काम ही है कि आप किसी भी अधिकारी को जाच करने का काम सौप दे उसके चरित्र के ऊपर, उसकी न्याय बुद्धि के ऊपर, उसकी निष्पक्षता के ऊपर सन्देह का एक वातावरण पैदा करने की ये कोशिश करते है। मन्त्रियो का नाम भी लिया जाता है। यह एक गम्भीर बात है। गम्भीर इसलिए है कि सदन के बीस सदस्यो के फर्जी दस्तखत करके उनको बदनाम करने की कोशिश की गई है, गम्भीर इसलिए है कि इस सदन की गरिमा को ठेस पहुचाने की किसी व्यक्ति ने कोशिश की है और जिस ने इस तरह का गम्भीर अपराध किया है, उसकी पूरी जाच पडताल होनी चाहिए, अच्छे तरीके से होनी चाहिए। मै आशा करता हू कि उच्च से उच्च अधिकारी के द्वारा यह करवाई जाएगी। सी० बी० आई० मे जो भी अधिकारी जाच कर रहा हो मै समझता हू कि अगर वह नीची श्रेणी का हो तो उच्च श्रेणी के अधिकारी से इसकी जाच करवाई जाए और आपका निर्देश देना चाहिए कि जल्दी से जल्दी जाच का जो निष्कर्ष है वह सामने आए और अगला सत्र शुरू होने से पहले यह जाच रिपोर्ट प्राप्त करने की कोशिश की होनी चाहिए। तब तक दूध का दूध और पानी का पानी हो जाना चाहिए। कौन दोषी है कौन नही है इसका पता चल जाना चाहिए।

यह कहा गया है कि प्रधान मन्त्री चुप रही है, उन्होंने क्या कुछ नही किया। मै समझता हू कि प्रधान मन्त्री के पास जब यह मसला आया या इसकी जानकारी उनको मिली तो इसकी पूरी जाच पडताल उन्होंने की। सदस्यो ने उनके पास अपने प्रतिनिधि भेजे और उन्होंने प्रधान मन्त्री को इसके बारे मे बताया। प्रधान मन्त्री जी ने इसको देखा और कार्रवाई शुरू की। आखिर एक तरीका होता है काम करने का एक दम फैसला नही हो सकता है। वाजपेयी जी ने तुलमोहन राम के बारे मे गम्भीर आरोप लगाए है। यह नही हो

[श्री चन्द्रजीत यादव]

सकता है कि आज आरोप लगाए और आज ही उनके खिलाफ एक्शन ले लिया जाए। उस सदस्य को भी मौका मिलना चाहिए कि जो आरोप लगाए गए है उनका वह जवाब दे सके। उतावलेपन मे कोई काम नही चल सकता है।

श्री श्यामनन्दन मिश्र छ महीने पहले चार्ज लगाए गए थ।

श्री चन्द्रजीत यादव : रिश्वत कर बारे मे आज .

श्री श्यामनन्दन मिश्र : डेढ लाख रुपये लिए है।

श्री चन्द्रजीत यादव: सीनियर आदमी हो कर के इस तरह अपना दिमाग गरम मत कीजिए ।

श्री श्यामनन्दन मिश्र : छिपाइए मत। छिपा कर बात मत कीजिए ।

श्री चन्द्रजीत यादव : छिपा कर बात मैं नही कहता हू। मै सच्ची बात कहता हू। इसलिए आप को दर्द होता है। अटल बिहारी वाजपेयी जी ने दो चार्ज और लगाए है आज। जरा बुद्धि का प्रयोग कीजिए ।

श्री श्यामनंदन मिश्र : पुराने का क्या हुआ ?

श्री चन्द्रजीत यादव : पुराने को छोडिए। तुलमोहन राम जी आज नही है यहा पर। उन्हें इस बात का मौका मिलना चाहिए ... (व्यवधान). ...मै किसी की वकालत नही करता। मैं ने शुरू में कहा है कि अगर किसी सदने के सदस्य के आचरण के सबध मे कोई गभीर बात कही जा रही है और अटल बिहारी वाजपेयी जी ने कही है, मैं उन की बात को चुनौती नहीं देता हूं. मैं नही कहता कि वे झूठ बोल रहे हैं या ऐबसर्ड बात कर रहे हैं, वे एक जिम्मेदार व्यक्ति है, उन्होंने एक तथ्य सदन के सामने रखा है और मैं आशा करता हू कि जब वे तथ्य सदन के सामने रख रहे हैं तो उस के साथ और जितने उन के पास प्रमाण है वह सारे के सारे प्रमाण सदन के नेता को दें या आप को दे दें श्रीमान्, आप हमारे अध्यक्ष हैं. आप के सामने रखें। आप के सामने एक बात आई और तत्काल आप ने उस के ऊपर कार्यवाही की। तत्काल सरकार ने उस के ऊपर कार्यवाही की, कोई परदा डालने का मशा नही था। लेकिन कोई बात है तो उस की जाच पडताल एक विधि तरीके से कायदे से होनी चाहिए और इसीलिए मैं कहता हू कि इन बातो के ऊपर कोई ससदीय कमेटी आज के वक्त बनाना मुमकिन नही है जब तक तथ्य सामन नही आ जाते है। और मैं दरवाजा बन्द नही करता। मुमकिन है कि सी० बी० आई० की रिपोर्ट आए, उस मे सी० बी० आई० की रिपोर्ट आने के बाद यह बात साबित हो कि बहुत सी बात ऐसी है जो सी बी आई नही कर सकती, जैसे अगर सदस्य के आचरण का सबध है तो सी बी आई उस उस मे कुछ नही कर सकती, सदन की मान-हानि का सवाल है तो सी बी आई नही कर सकती, सदन के विशेषाधिकार का प्रश्न है तो सी० बी० आई० कुछ नही कर सकती, इसलिए जब वे तथ्य सामने आ जाएगे तब उस वक्त अगर सदन उचित समझेगा तो मैं आप को यह विश्वास दिलाना चाहता हू कि उस अवसर क ऊ पर या किसी भी अवसर पर अगर यह उचित होगा कि सदन की कमेटी इस काम के लिए बनाना जरूरी है तो सदस्यो को जिन के नाम इन्वाल्व्ड हैं उन के नाम को इस से मुक्त करने के लिए और जिन के आचरण दोषयुक्त हो या अगर कोई अपराधी हो तो उस को उचित सजा देने के लिए सदन की कमेटी बनाई जा सकती

है । इस को में रूल आउट नहीं करता हूं । इन्हीं शब्दों के साथ में यह समझता हूं कि इस बात को इतना तूल नहीं देना चाहिए । हमारे 20 सदस्यों के नाम इस में इन्वाल्व्ड हैं । उन्होंने भी एक बात कही है । लेकिन तथ्य सामने आए, सच्चाई सामने आए, सही बात पर परदा न पड़ सके उस के लिए एक जांच हो रही हैं । जांच होने के बाद में आशा करता हूं कि सदन को भी उस के क्या परिणाम हैं उन से अवगत कराया जायगा ताकि जो एक माहौल बन रहा है उस की सफाई हो सके ।

मैं एक और प्रार्थना करना चाहता हूं । अभी वाजपेयी जी ने कहा कि प्रजातंत्र के बड़े गंभीर दोष भी हैं । हम सब जानते हैं । लेकिन प्रजातंत्र की बहुत सारी अच्छाइयां भी हैं । सारे दोषों के बावजूद भी अगर दोष और अच्छाई दोनों को तराजू के दो पलड़ों पर रखा जाय तो यह दुनिया ने साबित किया है कि प्रजातंत्र से बेहतर कोई राजनैतिक व्यवस्था नहीं है और इसीलिए हम ने अपने देश में एक प्रजातांत्रिक जनवादी व्यवस्था कायम की है । हम समझते हैं कि प्रजातंत्र हमारे देश में मजबूत हो, उस की गरिमा बढ़े, जनता के अधिकारों की रक्षा हो और उस के लिए जो कुछ भी करना होगा मैं इस सदन को विश्वास दिला कर कहना चाहता हूं कि विरोधी दल का कोई भी व्यक्ति प्रजातंत्र की रक्षा के लिए और इस सदन की गरिमा के लिए जितना भी करना चाहते हैं, उससे कम हम कांग्रेस दल के लोग नहीं करना चाहते हैं । इन्हीं शब्दों के साथ मैं यह कहना चाहता हूं कि इस प्रस्ताव को इस वक्त नहीं स्वीकार किया जाना चाहिए ।

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, चर्चा सार्थक हो और यह चर्चा सब तथ्यों को सम्मने रख कर चले इस के लिए जरूरी है कि एफ आइ आर की एक कापी सभा पटल पर रखी जाय । यह बहुत जरूरी है ।

SHRI SHYAMNANDAN MISHRA: It is very material for the consideration of the motion. Let them place a copy of the FIR on the Table of the House.

MR. SPEAKER: The Minister has already informed the House of the position. The FIR is not a secret document. Under the Indian Penal Code and the Code of Criminal Procedure, the practice is that when the case goes to the court you can see the FIR.

SHRI SHYAMNANDAN MISHRA: We are not told about the date when the FIR was registered and where it was registered. That is also not being mentioned to us.

SHRI SEZHIYAN (Kumbakonam): On that day I put a specific question as to when the case was registered and the Minister said, 'A couple of days ago'. 'A couple of days' would mean anything.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I made the statement on the 3rd and when I was asked about date, I said, 'Within the last couple of days'....

SHRI SHYAMNANDAN MISHRA: We want the exact date.

SHRI H. R. GOKHALE: At that time the date and time of registration were not exactly known to me. I can tell the House that the case was registered on the 2nd morning.

SHRI BHOGENDRA JHA (Jainagar): We are not being told from which court a copy can be had. Unless we get the case number and the name of the court from where we can get a copy, the discussion will be incomplete.. (*Interruptions*)

अध्यक्ष महोदय : अगर आप मुझ से कहते, मुझे नोटिस देते तो में ही उन से पूछ लेता ।

श्री श्याम नन्दन मिश्र : उस दिन हम लोगों ने कई बार इल्तज़ा की, कई बार पूछा, बड़ी मिन्नत की, हमारे पूछने से इन्होंने नहीं बताया । ऐसे ही इधर उधर की कहते रहे । इन को तनख्वाह हम सबों से मिलती है और काम करते हैं सिर्फ अपनी पार्टी का ।

SHRI BHOGENDRA JHA: He must tell us the name of the court also.

MR. SPEAKER: Please try to make use of every available minute. If you start raising points of order, the time will be over.

Mr. Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU: Mr. Speaker, Sir, at the very outset I must express my disappointment at the way Mr. Gokhale, a former High Court judge and the Minister of Law of Government of India, has tried to take advantage of the ignorance of law on the part of many of us. He had chosen to evade the question which I had put to him repeatedly till such time as my friend in the *Hindustan Times* had made it a front-page story in clear and categorical terms which was the only indication available to us which was acceptable. Mr. Gokhale knew that, if he had used the words 'F.I.R.', some of us would at once make a move to get hold of a copy of that. Therefore, instead of that—he had chosen to hoodwink us—he had used another expression 'the case has been registered'. 'The case has been registered', to a layman like me, could be a case registered in a court of law. could be a case registered by the CBI. CBI itself taking cognisance? I am not really an expert. Mr. Gokhale, taking advantage of his knowledge in law, has taken advantage of our ignorance of technicalities of law. That is a matter of great shame and pity.

To say much on this issue, which has been debated considerably will amount to "guilding a lily", because such things have been revealed during the last seven days. After that, I do not really think that there was any necessity for the Government to put up a defence to-day. If I were you, I would have boldly come forward to say that a parliamentary probe will be instituted, to put an end to all suspicion and controversies.

To-day, a day, when practically a no-confidence motion is being moved against the Government, the Prime Minister is away and her close partner and confidant in those adventures is in the dock. To-day, Mr. Vajpayee reminded us about her utterance in Ambala in which she had chosen to bracket herself with this Minister against whom serious corruption charges including the demand for the one by the Commission of Inquiry on Bharat Sevak Samaj are there.

MR. SPEAKER: The debate is purely on the licence matter but you are going over a hundred and one things.

SHRI JYOTIRMOY BOSU: I want to ask. Mr. Gokhale, have you covered in the CBI or FIR registration, the aspects of cheating, the aspects of forgery, the aspects of IPC Section 162 regarding inquiry into illegal gratification of MPs., officials and others and tell us how big the canvas of this investigation.

The CBI, as it stands to-day, cannot cover the Ministers of Governments which is so very important and necessary in this case because Mr L. N. Mishra is the first man who should be examined.

I want to know whether you have told the CBI to submit an interim report before the winter session so that those who are in favour of the CBI inquiry, at least could see what they have to say about instituting a parliamentary probe, but we are not in that

category. We are strongly in favour of a parliamentary probe.

Secondly, the day I spotted the news in the *Blitz* which I congratulate for focussing the nation's attention on this matter, I immediately wrote to you, Mr. Speaker and you wrote to the Government. Then the CBI came into the picture and they kept even the Speaker in darkness. Then five months have passed after I had written. Only when I moved the privilege motion in the House a case was registered. Shame on them. In Tulmohan Ram, he had broken down and confessed that a lakh and a half of rupees had come to his pocket. I want to know. You have said categorically and clearly that you were kept in darkness. You were not given any intimation by the CBI. Why is it? Why have you kept you them in darkne s? What did the Prime Minister do on the Blitz publication? Now you had five good months from the end of March. Why is it that now you are coming out with a proposal for a CBI inquiry? What were you doing during the last five months? Is it a fact that you told them to treat it as an unregistered case and an unregistered inquiry so that nothing, no document and nobody would be caught Now, after you have been caught red-handed here, you are forced to make it a registered case and you are enacting dramas and doing gimmicks.

These licences were worth Rs 30 lakhs and I am told the market value including the premium that goes with it is over Rs. 1 crore I am also told that Shri L. N. Mishra signed the file only two days before he relinquished charge of Foreign Trade Ministry

SHRI L. N MISHRA No I contradict it.

SHRI JYOTIRMOY BOSU· A parliamentary probe will discover it

(Interruptions)

I want to say that this is the reason why the Lokpal Bill has been kept in cold storage because the Ministers of the Congress Government must be kept out of the purview of any inquiry into charges of corruption.

Shri D. Sen, the present Director, as a token for his services rendered, has been promised an extension of two years, but not at a time. It would be one year and after seeing the performance he renders for the removal of *Garibi Hatao* of Shri L. N. Mishra and Shrimati Gandhi, he will be considered another extension.

Mr. Mishra considers Shri Darbari a competent man against whom corruption charge has been levelled. I have also written to the Prime Minister that he owns an industry in Ghaziabad, he owns shoddy mills and own taxis in Delhi. But nothing happened to that. He has to look after the interests of Shri Mishra Let us analyse the issue now. What is it? Shri Chattopadhyaya said that seventeen parties had asked for the revival of liences. On scrutiny it was found that six cases were rejected. Whatever was allowed to be imported by them was not to the fullest extent but only to the extent of 50 per cent.

When this was pointed out by Shri Kulkarni, a Congress Member, the Minister was stating that by a mere slip of mistake those industrialists were not included. Was it not a fact that the very industrialists approached the Government in 1955-1956 for getting the licences and the government, for reasons well known to them—I do not know them—refused the licences. Then, suddenly the applications were received and Shri Mishra granted the liences There are reasons for it. I would like to know from the Government what is the valid reason taken into consideration for issuing the licences.

Then, Sir, I want to find out from the hon. Minister whether these firms are really owned by licensed parties or whether these licences were sold and the importers themselves did not,

[Shri D. Sen]

import anything. Is it also a fact that Shri Mishra's contributors wanted tc make use of the title that they were established importers?

Also I want to know how many more licences were issued to the same set of firms. Also we want to know whether this issue came up before his three predecessors—Shri Manubhai Shah, Shri Bali Ram Bhagat and Shri Dinesh Singh. Is it not also true that this is a case similar to that of Messrs. Tulsia Stainless Steel Case—Karnataka Export—when my friend, Shri Mishra's vital conditions and opened the floodgate of loot favouring the importation of the stainless steel by Shri Tulsia Steel?

Is it a fact that all the three predecessors had rejected their applications? But, all the seven applications were rejected by Shri Manubhai Shah, Shri Bhagat and Shri Dinesh Singh after considering them.

Now I would like to know what was the ground on which they had rejected the applications? They went to the Madras High Court where the litigation was going on for four years and then Shri Mishra did a good job. In that litigation case he made them withdraw the case. What was the reason? If I am right, was it for pre-1972 election fund collections? May I put the question? The Minister wrote that if justice had not been done, licence should be given. I want to ask both of you a hypothetical question. Were you in possession of all the facts before you? Then comes the question—why a memorandum from as many as 21 Congress M.Ps. was necessary? Was it to strengthen your elbow? It was all very well thought-out and all those whose signatures are genuine are very very close to Shri Mishra. Then, of course, M. Ps. from Bihar were feeling very strongly to help in the economic growth of Pondicherry in Tamil Nadu. It is very significant that Shri Mishra is a mere comissar to put the needle and extract blood. The *Hindustan Times* clearly said at least seven to eight signatures were genuine. I want to ask Shri Gokhale, the former and the famous High Court Judge, my lord, as he was accustomed to be called a question. Did you bother or advise them to refer the signatures before they were stolen and mis-placed? Did you send them to hand-writting experts? You have got so many hand-writting experts with you. The answer is 'n'. I guess in some cases signatures have been forged because I know at least one M.P. who does not even spare his own brother. The names of such M. Ps. have been included in it with whom he does not see eye to eye. He shrewedly killed two birds with one stone. That is a wonderful performance. He has feathered his own nest and at the same time broken the nest of his opponent. It has become a standing scandal in this country and particularly for the ruling party going in for permits, licences and favours.

श्री विभूति मिश्र (मोतीहारी) : हम लोग किसी के लाइसेंस के लिये नहीं जाते हैं । आप गलत कहते हैं ।

श्री ज्योतिर्मय वसु : मिश्रा जी, आप के बारे में कुछ नहीं बोला, शुगर मिल ओनर के बारे में कुछ नहीं बोला ।

Sir, I know of one M. P. whose brother is in coal business in Bihar coal-fields area. He did not spare his own brother for giving wagon permits. He collected Rs. 30,000. There are cases of cooking gas, petroleum, railway wagons, etc. It has become a 'Give and Take' affair. That is, Mr. Minister you remain a Minister and have the plunder but let us have a little slice. Don't forget the legs of your 'kursi'. Shri L. N. Mishra has a scientific mind with regard to distribution of power. His mechanisation and arrangement in Parliament and his arrangement in Patna are superb,

I would like to learn from his methods.

Sir, many of them pressed for a Parliamentary probe but under the Prime Minister's pressure they withdrew. If you read the articles in *National Herald, Hindustan Times* and Part II daily one after another you would be more convinced. Sir, my information is the whole thing was done at Akbar Road residence of the Minister.

In one case the paper was taken to Nursing Home for signature and the most interesting thing is the Congress M. P. is closest to Lalit Narain Mishra. Mr. Tulmohan Ram—Mr. Vajpayee has said and the information was also in my possession with photostat copy—I am subject to correction, has already collected and contributed rupees one and a quarter lakhs. To keep him going with silk kurta and beautiful hair oil, of course complexion does not matter—why are you trying to discredit your dead father? Why are you allowing such people to build schools and give honour to your father's name?

SHRI L. N. MISHRA: How could you say I have done it?

SHRI JYOTIRMOY BOSU: Sir, I would like to ask one simple thing. The matter came up in Rajya Sabha on the 27th August and today is 9th September. Thirteen days have passed. Where is Mr. Tul Mohan Ram, Mr. Raghu Ramaiah? You have a vanishing trick, I know. Can I not demand that this Government was responsible to produce him on the 28th August. But, because of this conspiracy, which involves the fountain head of corruption in the country, down to Mr. Tul Mohan Ram, you cannot see his face. He is under the protection of the Government of India's rubber seal. You cannot approach him.

Sir, I am told that this man is reported to have confessed that he has received a lakh and a half. I would like to ask this question. Mr. Speaker, Sir, you acted on my letter and wrote to the Government. I would like to ask, what did the Prime Minister do? She has a large establishment of information and broadcasting, who are giving out paper clippings every day. What did she do? *Blitz* is one of the largest circulated weeklies. It came out with a broad face that one of her MPs. has taken money for selling licence. What did she do? Nothing was done. This shows, corruption is from the top to the bottom. Sir, he is shielded by very powerful persons including Mr. L. N. Mishra and he is doing very brisk business in coal wagons. He has mentioned about salt. I will tell you the rates .....

Sir, I will take ten minutes more. This is the last day. For two months, I will not come near you. I assure you I would not take much time.

MR. SPEAKER: You conclude in three-four minutes.

SHRI JYOTIRMOY BOSU: The business in coal wagons has become one of the juiciest things. But, still, I am told, the Minister is not very happy because Industrial Development Ministry offers better scope for operation, than Railways. Applications are being made 'Let me be shifted from Railways to Industrial Development', where there is lot more money, no accounting, no *hisab*. But, you have fixed the rates for Punjab and Haryana. For one rake of 60 wagons, between 60,000—80,000 tonnes, for Bombay, it is Rs. 2 lakhs. Therefore, Sir, if Mr. Tul Mohan Ram prospers, his master also prospers and prosperity is assured. *Garibi Hatao* is taking place; distribution of wealth is taking place.

MR. SPEAKER: You confine yourself to the motion.

SHRI JYOTIRMOY BOSU: I am absolutely on the motion. I would like to ask Mr. Uma Shankar Dikshit a question. Is it a fact that Mr. Tul Mohan Ram was involved in the case of a car being caught smuggling? Is it a fact that the car was taken in

[Shri Jyotirmoy Bosu]

the name of an MP of your party, Mr. Besra and that car was taken to Bombay and caught smuggling? I would like to know the details.

MR. SPEAKER: May I tell you this. This motion is very specific. If you bring in any other MP or any other issue, proper notice has to be given. It is not a general debate

SHRI JYOTIRMOY BOSU: I am only discussing Mr. Tul Mohan Ram. Mr. Dikshit could tell us whether the car was taken out of Mr. Besra's MPs' quota and it was caught in a smuggling operation. Is it also a fact that the car was given to a person—sold or given I do not know—at the request of Mr. Tul Mohan Ram? Is it also a fact that Mr. Tul Mohan Ram collected Rs. 24,000 from a Chandigarh firm with promises made to them? I would like to know this.

MR. SPEAKER: Try be relevant on the motion.

SHRI JYOTIRMOY BOSU: Sir, Mr. Tul Mohan Ram ....

MR. SPEAKER: Call a man Tul Mohan Ram and damn him. What is this? You should be relevant to the motion.

SHRI JYOTIRMOY BOSU: I am not talking about Misras, Pandeys, Jadavs and Besras I am only saying that Mr. Tul Mohan Ram is flourishing under the god-sent patronage of Shri L. N. Mishra; he is a God-fearing man; does puja with talisman all over the body; you cannot touch him. These are small fry; they are used as baits for the wolf and the wolf is sitting opposite. Even if you take Shri L. N. Mishra's personal explanation of 29th August, 1974, can he be absolved of the charges? No. According to the Chagla Commission report, it is quite clear. The report says:

"In my opinion it is a clear that constitutionally the Minister is responsible for the actions taken by the Secretary or other officers. With regard to this transaction it is clear that the Minister must take the responsibility for actions done by his subordinates and he cannot take shelter behind them nor can he disown their actions. The doctrine of ministerial responsibility has two facts· the Minister has complete autonomy within his sphere of authority, as a necessary corollary he must take full responsibility for the actions of his servants. The Minister must fully and squarely accept responsibility for his Secretary."

This clearly lays down that Mr. L. N. Mishra cannot escepe responsibility. I know full well, unless proved otherwise, that he was he mastermind behind this. The reverse process had been started by him. We know his misdeeds in the Bharat Sevak Samaj and the Tulsian stainless scandal. The file was burnt There was then the rag scandal.

He wrote to Mr Tariq IMPEC to give Rs. 80,000 to friends in Bihar under pretext of some documentary film Mr. Tariq refused and declined to give money. He was after Tariq. I am concluding, Sir. Tariq wrote to the Prime Minister with a photostat copy When Mr. Tariq spoke in Ambassadors' Conference about film smuggling, Shri L. N. Mishra asked the Joint Secretary, Sardarji, to write to Mr. Tariq not to raise it because it embarrassed the Government. He says· do not speak against smugglers; Mr. Haksar knew about it. In another case Mr. L. N. Mishra pressurised Tariq to give a big loan to a Hindi film .

MR. SPEAKER: This is a debate on the licence issue. You are raising all sorts of questions which have nothing to do with it.

SHRI JYOTIRMOY BOSU· I only want to say that the two reports of the

Bihar M.L.As and the Committee of Privileges should be gone through. A parliamentary probe is necessary because he is the master-mind. When they asked for further loans from the IMPC and those were refused, he immediately started attacking the IMPC and letters were written by MPs of the Congress Party. I am told that my friend Mr. Barupal can say about this. So, it should be done only by a Parliamentary Committee; the CBI is totally incompetent to do this (*Interruptions*).

MR. SPEAKER: The main motion is about the licence issue. If you extend the scope I am afraid that the real subject will be lost.

SHRI PILOO MODY: Shri Tul Mohan Ram is already lost.

SHRI JYOTIRMOY BOSU: I mentioned only Mr. Tul Mohan Ram whose immediate boss is Mr. L N. Mishra and the immediate boss of Mr. L. N. Mishra is Mrs. Gandhi.

MR. SPEAKER: I think one day I will allow you to say anything that you want to say.

SHRI JYOTIRMOY BOSU: When will be that day?

MR. SPEAKER: Sometime, so that your main ambition may be fulfilled.

SHRI PRIYA RANJAN DAS MUNSI (Calcutta-South): Sir, I was listening to the speech of the most sincere and non-corrupt member, of Parliament, Shri Jyotirmoy Bosu. I do not believe that any Government can rule a country by legal and constitutional authority alone. It also requires moral authority. Now, who is the judge of morality? Morality can be judged from the past and present conduct of the party ruling the country and from that people can know about their future postures In some cases, specially in developing nations, due to the monopoly press propaganda or suspicion, efforts of character assassination are made by a section of vested interests among the people against a party or individual in the party. In such cases, morality comes from within and that cannot be judged by sayings of the people. I quote Swami Vivekananda, who is the fountain of our moral power:

> "Let people say whatever they like. Stick to your convictions and rest assured, the world will be at your feet. They say, 'Have faith in this fellow or that fellow'. But I say, 'Have faith in yourself first.' That is the way. Have faith in yourself. All power is in you. Be conscious and bring it out. Say, 'I can do everything'. Even the poison of the snake is powerless if you can firmly deny it."

The haritage and traditions of the Congress Party to which I have the honour to belong are such that in spite of some shortcomings and failures, it had proved to the people that it had never refused to face any challenge and faced the truth whatever the consequences might be, on the ground of ideology, rules and principles. Members belonging to Punjab will know that Mr. Pratap Singh Kairon had to face a probe, although he had done so much for the progress of the country. Similarly, Mr. Biju Patnaik of the Pragati Party formerly belonged to our party and the Congress Party did not spare him from a probe There are several such instances in the States where whenever serious allegations have been made by the opposition parties or even by the Congress Party members, the Congress Party had faced the challenge with courage and came out successfully in establishing the truth. To give a recent instance, the West Bengal Government has appointed the Wanchoo Commission and the ministers are facing the probe ordered by the same Government. Mr. Vajpayee was quoting with pride the Mudgal case which was—ordered to be enquired into by Pandit Jawaharlal Nehru From where did that heritage and tradition come? It is from this very Congress Party. Today when the country is facing such a serious economic situation, not only members of

[Shri Priya Ranjan Das Munshi]

this House but outside people also have developed some doubt in the general establishment because of their many difficulties in regard to food, shelter, accommodation, etc., and they might have challenged the Government's authority in regard to many questions like corruption, scandal or any other thing. I do not like to deny all those points But I would like to submit that this Parliament has the authority of the Constitution, this House has the authority of the people of this country to find out the truth At the same time, let us not place this Parliament and its Members in a situation where people will have a doubt, a suspicion or disbelief and misgivings about the very existence of Parliament and the conduct of the Members of this House. It does not matter whether a member belongs to the Congress Party or any other party, the moment he enters the office as a Member of Parliament he undertakes upon himself two responsibilities, one to the people through whom he got elected and another to the party and the nation which he represents.

18 hrs.

While serving as a Member of Parliament in a mixed economy, in a society like ours, can any member from the opposition or the ruling party deny that, in spite of his unwillingness, he is forced to move, to fight for individual cases, be it a person or a company, where he finds that deliberate injustice has been done in that case? It is not a question of what *Blitz* published or what Shri Tulmohan Ram did. Let us ask our conscience, is it not a fact that we have many a time pleaded for this party or that party, be it for an industrial licence or some other thing, to one Minister or another, for the people in our constituencies when we felt that an injustice has been done? I am not accusing any particular political party or questioning the *bona fides* of any particular member. I am only stating what is generally happening in the performance of his duties by a Member of Parliament in this country. Merely because the society has developed a feeling of taking it for granted that anybody who functions will function only in a corrupt way because of the feeling that political people are generally dishonest, to say that every member or the leader of every party is dishonest is not proper and I cannot understand this way of looking at things.

I am extremely sorry that for the last one week arguments have been put forward by the members of the opposition on many aspects connected with this licence issue. It is alleged that the signatures of 21 members have been found in a representation and those signatures are alleged to be forged. Is it not a clear criminal case? In the case of a criminal case there are various agencies of the Government which will deal with it. It is not the function of Parliament to enquire into criminal cases. Merely because some Members of Parliament are involved in a criminal case, merely because some members belonging to the ruling party are involved in a criminal case, why bring in the agency of Parliament to enquire into such cases?

This very Parliament itself, by its own laws, set up various agencies for dealing with various aspects of administration, one of which being the CBI. If the Parliament is to take up all those functions, then let us abolish the CBI, the Vigilance Commission, the income-tax department through which Shri Ganesh is raiding lakhs and crores of rupees by way of raids. Let us also abolish the entire judicial system and let everything be done by Parliament through a Committee. If a theft is committed in the house of Shri Jyotirmoy Bosu, the whole case will go before a Parliamentary Committee. If there is a burglary in the house of Shri Atal Bihari Vajpayee, another Parliamentary Committee of ten members belonging to a particular party will look into it. If this is the

way we are going to function, then what is the point in creating those various agencies for administering the country?

Then it is being alleged that the CBI is being guided either by the Congress Party or by Shrimati Indira Gandhi. The real test is how the ruling party or the Government functions in a crisis. Can anybody from the opposition deny that in the hour of crisis, at the time of war, the Government functioned in a way which got acclaim from all sides of the House? When we fought for the liberation of Bangladesh, there was praise from all sections of the House for the way in which we functioned. I agree there are bad officers, there are bad policemen and bad political leaders. Nobody denies that bacause it is that society to which we belong and we are fighting to change that society.

I do not know who indulged in this game of licence. May be, it is somebody who is not wanted by the people or the House. The truth will definitely come out. I know it is the character of the Congress Party that, whosoever it may be and howsoever powerful he may be, it always takes the stand by what people desire, what people want, and not by the pressure or counter-political conspiracy or game of some mischievous political forces who always take such issues and not the issue of the people of this conutry. I am not saying that Mr. Jyotirmoy Bosu is a corrupt man, nor am I talking of what he does or he does not do. Mr. Jyotirmoy Bosu always uses the expression 'I am told'. He says, 'I am told that Shrimati Indira Gandhi is doing this'. 'I am told that Rs. 30 lakhs have been given' and so on. I am also told Sir, in Calcutta he does certain bad things. I am told in Calcutta that he is in league with the British controlled business; he has dealings with Hindustan Motor management. Does that amount to any substantial truth? If I say that I am told that some Members belonging to CPM were involved in employing gangasters to rob a bank, would you agree for a Parliamentary probe? Can that be established? If I say that I am told that three or four members sitting on that side are involved in robbing the National & Grindlays Bank could that be proved? I can take advantage of 'I am told' to malign people. (*Interruptions*) Why are you getting excited. You go and file a suit against Indian Observer ...(*Interruptions*).

SHRI JYOTIRMOY BOSU: That pornographer has become the biographer of the Prime Minister. Here you can see Mr L. N. Mishra's photo.

SHRI PRIYA RANJAN DAS MUNSI: I am not taking advantage of *Indian Observer* because I know its tradition is to expose, to make naked pictures, to publish vulgar things, and if Mr Jyotirmoy Bosu belongs to that category, vulgarity, I do not find any objection. If he does not belong to that, I am glad. .(*Interruptions*)

SHRI JYOTIRMOY BOSU: Mr. Durlab Singh and Mr. Harbans Singh have been paid by the Congress Party to malign us..(*Interruptions*) The pornographer has become the biographer of our Prime Minister. How many times have they been prosecuted? (*Interruptions*) You find the photo of Mr. L. N. Mishra. A shame on you. You are quoting the *Observer*.

SHRI PRIYA RANJAN DAS MUNSI: I am extremely grateful to Shri Shyamnandan Mishra, Shri Atal Bihari Vajpayee, and Shri Jyotirmoy Bosu for their sympathetic observations, for their attitude towards the members of this side. Three or four days back they said that it was not that they wanted to fight politically, they wanted to get the charges cleared. I am grateful to them for their sympathy towards the members on this side.

SHRI PILOO MODY: I have no sympathy.

SHRI PRIYA RANJAN DAS MUNSI: You were busy because in Orissa the Swatantra Party's Government had been trapped by the Kendu Inquiry Commission for plundering crores of rupees in which Shri Piloo Mody has a large share. Mr. Bosu, have I done anything wrong to you? Why are you then interrupting me?

Interruptions

SHRI JYOTIRMOY BOSU: Your Mr. Ram Gopal Reddy says something in the morning and says '*Galath*' in the evening. Shame, shame. Do you talk through your mouth? (*Interruptions*)

SHRI PRIYA RANJAN DAS MUNSI: Have I no liberty to express my views?

SHRI JYOTIRMOY BOSU: A bunch of dishonest people... (*Interruptions*)

MR. DEPUTY SPEAKER: Order, please... (*Interruptions*)

SHRI PILOO MODY: The Chair cannot be abler than the Member.

SHRI PRIYA RANJAN DAS MUNSI: I am extremely grateful to hon. Members, Shri Shyamnandan Mishra, Shri Atal Bihari Vajpayee and Shri Piloo Mody for their sincere sympathies for the Congress members and they said that they want to protect the Congress Members from this trap. I am grateful for this but I would like to quote also one popular *shair* in this connection. It says that some members who have neither their house nor shelter nor any protection of defence do try to protect those who have found their establishment and shelter. The popular *shair* goes:

नहीं है जिनको भरोसा खुद अपनी कश्ती पर
वह नाखुदा के सहारों की बात करते हैं ।

Now, you know Shri Piloo Mody the leader of the national alternative. Sir, if this side is full of thieves, I do not know whether the national alternative is some better, dacoits or not. But the national alternative is also wedded to this demand. But this national alternative should know that the Kendu Leaves Inquiry Commission has come out with the truth. Let them have a look at that report first...

SHRI MANORANJAN HAZRA (Arambagh): On a point of order, Sir.

SHRI PRIYA RANJAN DAS MUNSI: This is not your Party, but his party.

SHRI JYOTIRMOY BOSU: The hon. Member said...

(*Interruptions*)

SHRI PRIYA RANJAN DAS MUNSI: I am not accusing your Party. Why are you getting excited?..

(*Interruptions*)

Mr. Jyotirmoy Bosu, please do not interrupt me. I will reveal the whole thing.

SHRI PILOO MODY: Would you not yield to me?

SHRI PRIYA RANJAN DAS MUNSI: No, no. There are three questions. The first question is that full facts are yet to come... (*Interruptions*) All the facts have come, nothing still remains to be revealed. Everything has been revealed.

The second question is: whether it should be a parliamentary probe or probe by the CBI. I have not come here in defence of CBI nor any officer of CBI. I would like to submit, Is it our task every time to accuse and condemn wholesale the agencies of the Government who had done some good work in their respective fields? Is it that the Members of the Jana Sangh are worried about the CBI because the CBI is inquiring into the Ananda Marg scandal and R.S.S. affairs? Is it that the Cong (O) is worried about the CBI because it is inquiring into the misdeeds of its

members and also because it is going to take up another scandal relating to Shri R. N. Goenka? If they are really worried about CBI and that Shrimati Indira Gandhi is protecting any officer, well, in that case, we have no objection if, after the report is submitted, members find that they are not satisfied. They have every right to demand again for the truth or the revealations as hon. Shri Samar Guha demanded the result of the Netaji inquiry. We have no objection to it, but let the investigation be first over.

About parliamentary probes in England, you know, most of the members know and especially, Shri Madhu Limaye to whom I have great respect and I do take it as a privilege to learn from him about rules of procedure of this House and those obtaining in the House of Commons. I would like him to enlighten me on one point.

Is it not a fact that in the House of Commons, immediately after the enactment of 1921 Tribunal of Enquiries Act there was a clear observation on the point that in the case of a deep-rooted nature where criminal things were involved, there, even a parliamentary probe was not sufficient because, in that case, political aversions and political vendetta are always revealed and as such, this should have been taken first for investigation by a government agency?

I would also cite one case of 1912 It is known to Mr. Madhu Limaye. It is about the British Marconi Company. The report of the parliamentary probe committee very clearly revealed that there was a tremendous fight not to reveal the truth but to pull down one political group or the other political group.

I am not questioning that this House is not above all. I am saying that they are a political wing and we too are political wing. Some of our Members will be in a Committee; some Members on the other side will also be Members of the Committee. It is a fact that in a parliamentary democracy, everybody knows that everyone wants to test everything. But, there is a limit for this which is permitted by the Committee. If a parliamentary probe is conceded, who will examine the forgery—will he be Shri Bosu or Shri Vajpayee? They can at the most have an interlude with Shri Lalit Babu for their political satisfaction.

ललित बाबू, आपने रुपया लिया, हा हा हा

I agree that we can do this job through an agency of the Government since we have confidence in the agency of the Government. If the report of the investigation comes before the House and if the Members find that there is something lacking or if the Government has deliberately suppressed anything, there is nothing to prevent us from reopening the chapter. What I would submit is this. It is no good maligning the Members of my party or the Members of the opposite. Today Shri Tul Mohan Ram may be a Member from this side and tomorrow, he may be a Member of the other side. (*Interruptions*) Why are you laughing? He was once a Member of the Socialist Party. You were also a member of the British managed house. You are now not even a Member of the Communist Party (Marxist). How does this matter? I would submit one thing to Members from this side as well as the other side that this Parliament should take it as granted that truth should come out and we must ask for the truth and it should not be suppressed. I do swear in this House that if we find that after the investigation report comes that some offence has been committed by the Member, however powerful he might be, the Congress will act as it had acted earlier If things go on like this, I know excepting a few Members from the Opposition, all other Members of parties are taking us as granted that the Congress can be bullied by character assassination. They started the character assassination with

[Priya Ranjan Das Munshi]

the Prime Minister not today but even in 1969. That was the speech made about her by the Jan Sangh and Swatantra Party. Even Shri Acharya Kripalani made that in his speech. And today there is no difference in it. Only the chapter is revised. It was at that time a paper edition and now it is a deluxe edition. Character assassination will neither help us nor you. Do you find interest if Prime Minister is being maligned in Great Britian, America, Poland, Soviet Union and in West Germany as you see here. What is the alternative that you have? Are you sure about the alternative? Is Shri Mody sure of that? (*Interruptions*) Has he taken part in our national freedom movement? Or, did Bosu take part in that in the British days when they were ruling us? Shri Shyamnandan Mishra has not understood us by staying in the Congress for a very long time.

If you go on maligning the Congress Party—I do not mind if you malign us—we know how to face it boldly. I have repeatedly heard in this House from the Members of the Opposition, particularly, the C.P.M. and J.S., that the Prime Minister had taken Rs. 20 lakhs; Shri L. N. Mishra has taken 30 or 50 lakhs; Congress Members are getting money etc. I agree with you on one thing that we are always less than you. The question asked today is this that these charges made against the Minister and the Member may be fought politically or in a manner in which country could have restored their confidence in us. Today's charges against 21 Members who admitted that we have not signed the press reports are defamatory. I cite the example of the incident of the girls in the Bombay special train. Reports carried that the girls were raped and a serious defamation committed. When I went to Bombay the girls came and admitted before me that no such incident took place and they were surprised that womanhood is being charged and insulted by the monopoly press without any basis. How can the damage be undone?

The moment Indira Gandhi took power after 1969 elections they are finding opportunity every moment to malign the ruling party. I agree we must be careful. I agree if there are shortcoming we should try to overcome. If we give contradiction of any such defamatory news they will print it on the seventh page after the share-market schedule in such a manner that nobody takes interest to read it. I do not want to make any charge against the journalists because most of the time they have to work under the system and pressure of the monopoly press. If they get some autonomy—which the Government should consider—I hope, constructive healthy public opinion would be developed.

Now, about this whisky licence case; let us accept one fact—Mr. Bosu will agree with me as he drinks whisky—that whisky is sold at a shop and a licence has to be given by some authority. The question is whether the licence was given against the standing principles or against the natural course of law. The fact should be judged whether the Member of Parliament, whosoever he might be, recommended the case with money or without. These are the matters which are already under investigation. Is it not a fact that the moment Mr. Bosu wrote to the Speaker, the Speaker wrote to the Minister and this Ministry sent the matter for investigation?

I am grateful to Mr. Vajpayee for citing Krishan Kant's reference in Rajya Sabha. If he rightly revealed the truth nobody insults him and neither our Party takes any attitude to make him victim but certainly we do not make compromise with Members on the ground of ideology. When the time so comes we may expel many people if we like. Take the exemple of Prof. Balraj Madhok's expulsion. Why was he terminated? Is it because he was truthful or Jan Sangh did thing he was wrong?

So, the charges should not be levelled in that narrow angle. There should be dignity of Parliamentary democracy. The other day when Prof. Mukerjee was making a speech I was carried away by his speech as to why we are not catching the thief. Basing on that assumption we have not yet been able to project to the nation a clear image and a bold character. If you want to improve the standard of Parliament before the nation it should not be an issue of 21 Members in isolation, let the entire Members of Parliament decide their personal conduct and personal life from all the angles. I have said in this House... (*Interruptions*) The telephone and house are given on rent, I know. No enquiry was made. It is a fact. We have to judge all of us, not 21 Members. We have to improve the standard of the whole Parliament, not Congress. Congress may lose the election. It does not matter. You have to come; you have to rule the country. If i level the same charge on that day, on some fake allegation without any authority or agency, would you agree? You have not got that courage.

Sir, Mudgal case was referred to. This is absolutely a civil offence. Why don't you understand the basic difference between a civil offence and a criminal offence? Unless you understand the difference between the two, what is the use of passing the Criminal Procedure Code, Civil Procedure Code, Indian Penal Code etc. and then sitting in the Select Committees on those Bills and getting allowances? This is absolutely a farce. I submit with all humility to you, Sir, that we do feel that this is a matter, which is really to be condemned and which is really a matter for suspicion. It is very unfortunate. A stand has been taken by the Government. If it is found wrong after investigation, it is open to the Members of Parliament to come and take a stand in this regard. I know confrontation within and confrontation outside. The Congress Party is not only fighting against poverty, but we fight within also. We have the tradition of leaders like Pandit Jawaharlal Nehru, Bose, Mahatma Gandhi and others. A Party should be judged by the nature of its work. It is the Prime Minister of this Government who took the risk without enjoying power for one more year and dissolved the Parliament. For what? It is not the real test of the leader of the nation? She wanted to take the mandate not from two or three people of her own Party, but, from the people of the whole nation on a basic policy issue. Have we not tested ourselves in the hour of crisis, in such matters, in such cases and on many issues? So many stalwarts from the Congress Party, those who were known to be corrupt, were removed, without any enquiry simply on the report that people did not like them. Today, for the Opposition, there is no other way to malign this Party, there is no other way to pull down this Government and there is no other way but to indulge in character assassination. Their target is not Mr. L. N. Mishra or Das Munsi. Thousands of L. N. Mishras and Das Munsis will come into the Congress and go out. But, rarely, one Pandit Nehru takes birth; rarely one Indira Gandhi takes birth; rarely one Bose takes birth; rarely one Lal Bahadur takes birth. Their target is Mrs. Indira Gandhi, because she is sitting on this side, and not Congress. They want to demolish, destroy that image in all directions without caring for parliamentary right and propriety. They want to put the country in a mess. My submission in regard to the motion moved by Shri Atal Bihari Vajpayee is—of course, he is within his right to move a motion and I have no objection to that—he should not pressurise; he should not stand on a political point, on a point of prestige, on a point of challenge. He should withdraw it.

श्री सरजू पांडे (गाजीपुर) : उपाध्यक्ष जी, मैं श्री मन्त्री का भाषण बड़े ध्यान से सुन रहा था, और उन्होंने इस बात से इन्कार नहीं किया कि भ्रष्टाचार है। और दूसरा तर्क यह था कि कुछ विरोधी पार्टी के लोग कुछ लोगों पर आरोप लगा कर उन की चरित्र

[श्री सरजू पांडे]

हत्या करना चाहते हैं। और तीसरी बात यह कही कि कांग्रेस का कोई विकल्प नहीं है। मैं उन से पूछना चाहता हूं कि पूरे देश में आज कोई भी इस बात से इन्कार नहीं कर सकता कि हमारा जन-जीवन भ्रष्ट हो चुका है। किसी भी क्षेत्र में जाइये शिक्षा के क्षेत्र में जाइये।

जीवन के हर क्षेत्र में भ्रष्टाचार है।

18.28 hrs.

(Shri Ishaque Sambhali in the Chair)

श्री समर गुहा सभापति जी, माइक को अच्छी तरह से पकड़ कर रखियेगा।

सभापति महोदय मैं जब इस कुर्सी पर होता हूं तो अपने को हाउस का खादिम समझता हूं। और जब वहां होता हूं जहां आप बैठे हैं तो अपने को एक मेम्बर समझता हूं।

श्री सरजू पांडे मैं समझता हूं कि कांग्रेस के माननीय सदस्य सिर्फ विरोधियों पर आक्षेप लगा कर कि यह लोग चरित्र हत्या करना चाहते हैं इस से इन की देश में प्रतिष्ठा नहीं बढ़ेगी। अगर भ्रष्टाचार है तो उस को तलाश करना पड़ेगा। और मुझे तो एक शेर याद आता है, मुझे जी के जवाब में कहता हूं कि हमारी रूलिंग पार्टी, की क्या हालत हो रही है। हालांकि मैं जानता हूं कि जो लोग रूलिंग पार्टी पर आरोप लगाने वाले हैं उन का भी चरित्र अच्छा नहीं है। फिर भी आपकी जिम्मेदारी अधिक है, आप पर देश को आगे ले जाने की जिम्मेदारी ज्यादा है, शुद्ध प्रशासन देने की और ठीक दिशा की और देश को ले जाने की आप की ही जिम्मेदारी है। आपको ही देश की जनता ने बहुमत दिया है। मुझे एक शेर याद आता है। एक शराबी ने यह कहा था

मामले पर आ गई है घटा शेख अभी तोपी ईमान गोट आएगा मौसम न आएगा।

यही हालत आपकी हो गई है। प्रताप सिंह कैरों से ले कर गुलाबी चना काड तक भ्रष्टाचार की कई कहानियां सुनने को मिलती हैं। बिहार में करप्शन के केस हुए हैं, उड़ीसा में हुए हैं। उड़ीसा में स्वतंत्र पार्टी के मंत्रियों के खिलाफ आरोप लगाए गए थे। कि उन्होंने अपनी पावर का मिसयूज किया है। छोआ काड बिहार में हुआ है। उत्तर प्रदेश में मक्का काड हुआ है। मध्य प्रदेश में गुलाबी चना काड हुआ है। उड़ीसा में केन्दु पत्ती काड हुआ था। इन सब में आपकी जिम्मेदारी सब से अधिक है। मैं तो यह समझता हूं कि जब तक पूंजीवादी अर्थ व्यवस्था इस देश में कायम रहेगी, भ्रष्टाचार का आप मिटा नहीं सकेंगे। इसके लिए जरूरी है कि जो मौजूदा व्यवस्था है उसका समूल बदला जाए और उस पर जबर्दस्त प्रहार किया जाए।

शर्मा जी सदन में नहीं है। किसी न किसी दिन उनका मामला भी आ सकता है। दूसरे मैम्बरों के बारे में भी खबरें छपती-रहती हैं। मैम्बरों की प्रतिष्ठा को धक्का पहुंचाने के लिए, उसको गिराने के लिए प्रतिपक्ष अखबार ने काफी कुछ लिखा और यहां तक लिखा कि लोक सभा दलालों का अड्डा है। पार्लिमेंट के मैम्बरों के बारे जो यह लिखा गया कि चोरों और दलालों का यह अड्डा है इसको मैं गलत समझता हूं, इसका मैं समर्थन नहीं करता। लेकिन यह बात जरूर है कि जनता की भावनाएं हम सब के खिलाफ बन रही है और इस बात पर हम सब को गम्भीरता से विचार करना चाहिये और कोई निदान निकालना चाहिए। मंत्रियों के विरुद्ध भ्रष्टाचार के आरोप है। लेकिन बेचारे एक व्यक्ति को ही पकड़ लिया गया है और कह दिया गया है कि सारे भ्रष्टाचार की वही एक जड़ है इनको केवल श्री तुलमोहन राम ही मिले हैं। लेकिन आप देखें कि मैम्बरों के कहने पर एक दूध की बोतल का कार्ड भी नहीं बनता है। आप सब लिख कर दे दें लेकिन आप एक दूध की बोतल का कार्ड नहीं दिलवा

सकते है । अगर दस्तखत बना लिए गए थे और लाइसेंस प्राप्त कर लिया गया था तो मैं नही समझता हू कि चाहे चट्टोपाध्याय जी हों या मिश्र जी ये अपनी जिम्मेदारी से बच सकते है । दोनों में चाहे किस की जिम्मेदारी हो ये बच नही सकते है । अगर अफसर दोषी है तो उनकी तलाश आपको करनी चाहिये और पता लगाना चाहिये कि किस अफसर ने रिकामेंड किया, चीफ कंट्रोलर कौन था और वह कहा तक दोषी है । यह सब आपको मालूम करना चाहिये । मुझे मालूम हुआ है कि नारंग नाम का कोई अफसर था जो बड़ा भ्रष्ट है और उसने लाइसेंस देने की सिफारिश की थी । अफसर भी गलत नही है । मंत्रियो ने भी करवाया होगा लेकिन मैं जानता नही हू । लेकिन एक गरीब आदमी को पकड़ लिया गया है और वह है श्री तुलमोहन राम और उसकी तलाश हो रही है ।

जहा तक पार्लियामेंटरी कमेटी का सम्बन्ध है, पार्लियामेंट सी० बी० आई को बनाती है, उसकी स्वीकृति से ये एजेंसिया मुकर्रर होती है, पार्लियामेंट उनके लिए पैसा देती है । पार्लियामेंट के मेम्बरो के सामने अगर उनको बुलाया जाता है तो इस में डरने की क्या बात है अगर पार्लियामेंट के मेम्बर बैठते है और जाच करते है तो इसमें आपत्ति की क्या बात है । बजाय इसके कि हम उन नौकरों को यह काम दे जिन के बारे में हम खुद समझते है कि वे बहुत ज्यादा चरित्र के मामले में ऊपर नही है, हम क्यों न उनकी सहायता ले कर इस काम को करें । इन लोगों के बारे में भी बहुत सी कहानिया सुनने को मिलती है अखबारों में हम इन कहानियों को पढते है । जो अफसर लोगों के यहा जाच पड़ताल तथा तलाशी लेने के लिए जाते हैं चोर बाजारियों को पकड़ने के लिए जाते है वही अफसर अगले दिन स्वय पकड़े जाते है और पता चलता है कि उन के घरों में सोना मिला है जेवर मिला है, नकद रुपया मिला है ।

चूकि कोई चीज विरोधी दल वालों की तरफ से आई है इस वास्ते उसको आप न माने यह बात समझ में नही आती है । देश की प्रतिष्ठा को कायम रखना है तो सच्चाई जहा भी हो उसको आपको बाहर निकालना चाहिये और पार्लियामेंट के मेम्बरों की कमेटी बना कर आपको इसकी जाच करवानी चाहिये और पता लगवाना चाहिए कि किस की कितनी जिम्मेदारी है । श्री तुलमोहन को ढाल बना करके आपको अपनी जान बचाने की कोशिश नही करनी चाहिये ।

मंत्रियो के बारे मे कांग्रेस के ही सदस्यों ने सवाल उठाया है, उनके आचरण, उनके कार्यो, उनके तौर तरिको के बारे मे उठाया । यह सवाल 27 साल से उठता रहा है । यह नया सवाल नही है । लेकिन इन चीजों मे कमी नही आई है । बुराई बढती ही चली गई है । प्रताप सिंह कैरो के बाद, गुलाबी चना काड मध्य प्रदेश मे हुआ, छोआ काड बिहार मे हुआ, मक्का काड उत्तर प्रदेश मे हुआ । बंगाल मे धान वाला मामला हुआ, भूसी वाला आया । इस देश मे क्या नही हुआ ? अगर इन को गिनाने लग जाए तो सवेरा हो जाएगा लेकिन इनकी गिनती समाप्त नही होगी । इस बात का पता लगाया जाना चाहिये कि किस अफसर ने लाइसेंस दिया, किस अफसर ने केस को रिकोमेंड किया, लाइसेंसिंग कमेटी मे कौन लोग थे और उन लोगों की क्या राय थी । सब बात यहा पर आनी चाहिये ।

कई सदस्यों ने कहा है कि सी०बी०आई० के डायरेक्टर को एक साल का एक्सटेंशन दे दिया गया है । इस वास्ते यह नही हुआ कि उस अफसर ने बड़ा इंडिपेंडेंट काम किया बल्कि इसलिए ऐसा किया गया है कि उस अफसर ने सरकार की सेवा की है । भ्रष्टाचार करने वालों को आप प्रश्रय देते है । इस तरह से इनाम देने से काम नही चलेगा ।

रेलों मे कितना भ्रष्टाचार है इसकी भी आप देखें । रेल कारखानो मे आप चले जाएं

[श्री सरजू पाडे]

तो आपको इसकी कई मिसालें मिल जाएगी। लखनऊ के रेल कारखाने से पीतल कूडे के ट्रकों मे भर भर कर रोज बाहर जाता है। हिंडालको मे ओबरा मे जो बिजली का कारखाना है वहा से स्टेनलेस स्टील चोरी होती है और एक एक अफसर आठ आठ किलो स्टील के हीटर बनवाते हैं। मंत्रियो को भी भ्रष्ट किया जाता है। मैं कहना चाहता हू कि हिन्दुस्तान मे जब तक ये 75 मौनोपोली हाउसिस है जब तक ये कायम रहेंगे तब तक आप भी भ्रष्टाचार मे इजाफा करते रहेंगे।

कांग्रेस की जो आपस की लडाई है उसकी खबरे राजाना अखबारो म छपती है। पूजीपति आपको खरीदेंगे ही इस व्यवस्था मे आपको आपस म लडाएंगे ही मैकडो कली मस्तान पैदा करेंगे। अभी तो एक ही कुली मस्तान की चर्चा आई है। प्रधान मंत्री न कहा है कि कुली मस्तान मुझ से नही मिला। अगर जनता म मिल गया हो तो मैं नही कह सकती हू। मैं उनके चरित्र पर कोई आरोप नही लगाना चाहता। वह देश की प्रधान मंत्री है। लेकिन जनता मे यह विश्वास होना चाहिये कि कम से कम उनके चरित्र पर कोई उगली उठाने वाला नही है। उनका साफ साफ कहना चाहिये था कि मुझ से नही मिला। अब गणेश जी कहते है कि हम सत्याग्रह करेंगे। भ्रष्टाचारियो से, तस्करो से लड नही सकते है तो कहने लग गए हैं कि इनके खिलाफ हम बम्बई मे सत्याग्रह करेंगे। मैं कहता हू कि ये जो तस्कर है या भ्रष्टाचारी है ये आपको समुद्र म डुबा देंगे। यह जो भ्रष्टाचार है यह तब तक नही मिट सकता है जब तक पूजीवाद समाप्त नही होता है। पूजीवादी अर्थ व्यवस्था ही भ्रष्टाचार की जड है।

इन बेचारे बीस सदस्यो के दस्तखत बना दिए गए है और उनके पीछे आप पडे हुए हैं। एम पी बेचारे ऐसे भी है जो बगैर पढ हुए भी दस्तखत कर देते है। एक आध एम० पी० का मुझे मालूम है कि अगर कोई चिट्ठी लिखकर लाता है तो पढ़ तो नही सकता है लेकिन दस्तखत कर देता है। इन को कुछ भी मालूम नही है। ऐसे लोग भी है। लेकिन मैं जानता हू कि आप एम पीज के कहने से लाइसेंस नही देने वाले है। कुछ न कुछ मामला गभीर है और अगर कोई एम पी होता है मुझे मालम है एक एक्स एम पी यहा पर रहते है, भूतपूर्व लोक सभा के सदस्य मैं उन का नाम नही लेना चाहता, उन के बारे मे भी बडी चर्चा है, लोग कहते है उन का नाम योगेन्द्र झा है, उन का भी नाम लिया जाता है कि उन्होने दस्तखत बनाए है, यह चर्चा सेंट्रल हाल म भी है और उस के बाहर भी है तो मै आप से यह कहना चाहता हू कि यह जो इन मेम्बरो की बात है जैसे तुलमोहन राम के बारे मे कि लोगो का कहना है कि उन्होंने तीन लाख रुपया लिया है और जमीन खरीदी है। तो यह तो मालूम हो जायेगा जाच से कि जमीन खरीदी है या नही और असल काम जो कुछ भी करना हो, भाषण देने मे तो ये बडे माहिर है मै समझता हू कि भाषण तो इन से बढिया कोई दे ही नही सकता—सत्य अहिंसा ब्रह्मचर्य और क्या क्या दिन भर बकते है और उस के उलटा करते है। तो हम तो यह कह रहे है आप से कि चाहे तुलमोहन राम हो चाहे कोई भी हो, मुझे याद है, मै ठीक समय तो नही बता सकता लेकिन जब गुलजारी लाल नन्दा यहा गृह मंत्री थे तो उन्होंने कांग्रेस वर्कर्स की मीटिंग मे यह कहा था कि 200 लोक सभा के सदस्य ऐसे है जिन का सारा खर्चा बिरला चलाता है। यह अखबार मे आया था और यह बयान खुद नन्दा जी ने दिया था। उन्होंने यह भी कहा था कि हर इतवार को उन के खाने के लिए राशन उन का साबुन, उन के घर मे इस्तेमाल होने वाली और सारी चीजे उन के घरो मे पहुच जाती है। तो अगर ऐसी दशा देश मे होगी

तो यह कह कर आप नहीं बच सकते कि हमारी बड़ी परम्परा है । मैं समझता हूं वह कांग्रेस अब रही नहीं जो गांधी जी के जमाने में थी । मैं जानता हूं जिस कांग्रेस ने अंग्रेजों से लोहा लिया उस का स्वरूप बदल चुका है । आज कांग्रेस में ऐसे लोग आ गए हैं जो अवसरवादी हैं, भ्रष्टाचारी हैं और जिन का पेशा है दिन भर रुपया कमाना । उन का कोई सिद्धांत नहीं है । इंदिरा जी ने कहा था कलकत्ता की सभा में . . .

श्री मूल चंद डागा : यह कांग्रेस पर क्यों कीचड़ उछालते हैं ? . . .

श्री सरजू पांडे : आप का नाम नहीं लिया है ।

श्री मूल चंद डागा : जो बात है उस पर बात कहें, इधर उधर क्यों जाते हैं ?

श्री सरजू पांडे : मैं यह कह रहा हूं कि मुंशी कह रहे थे कि कांग्रेस बड़ी अच्छी है, ठीक है, कोई खराब तो आप को कहता नहीं, लेकिन मेरा यह कहना है कि वह कांग्रेस बदल गई जो पहले थी । अब आज वह कांग्रेस नहीं है और इस की छानबीन होनी चाहिए । लेकिन आप की पार्टी में कोई इस की डिमांड करने वाला नहीं है । देखना चाहिए कि दरअसल आज कांग्रेस में कौन लोग हैं ? आप चाहे हम को बुरा कह लीजिए, जनसंघ के लोगों को गाली दे लीजिए, जनसंघ के लोगों के बारे में भी घटनाएं छपा करती हैं, दूसरे लोगों के बारे में भी छपा करती हैं, लेकिन यह उस का कोई जवाब नहीं हो सकता कि हम किसी लड़के से पूछें कि क्यों बेटा तू फेल हो गया तो वह कहने लगा कि सारा स्कूल फेल हो गया, मैं अकेले थोड़े ही फेल हूं । सारी दुनिया भ्रष्टाचारी है, हम अकेले थोड़े ही हैं, यह कोई जवाब नहीं हुआ । आप भ्रष्टाचार में पकड़े गए, आप जवाब दीजिए । आप ऐसे भ्रष्टाचार करने वाले लोगों के खिलाफ कार्यवाही कीजिए और ऐसे मंत्रियों को निकालिए । आप को डर नहीं होना चाहिए ।

जो प्रस्ताव उस में है हमारी साथी बैनर्जी साहब ने एक अमेंडमेंट दिया है कि इस सदन के 11 मेम्बरों को नामिनेट किया जाये और उन के सामने यह मामला लाया जाये । सी बी आई का बहाना न बनाया जाये । मुझे विश्वास है और कोई भी मेम्बर यह न समझे कि हमारा कोई प्वाइंट आफ व्यू है, या हमारा कोई राजनैतिक दृष्टिकोण है, हम किसी को बदनाम करेंगे या झूठी बात कहेंगे, मैं समझता हूं कि ऐसा समझना उन मेम्बरों के चरित्र पर अविश्वास लाना है । आप को यकीन करना चाहिए और इस सुझाव को मानना चाहिए । इस में कहा गया है कि अध्यक्ष को ही इस बात का अधिकार हो कि वह कमेटी नामिनेट करे और उन मेम्बरों को हक हो कि वह सारी चीजों को देखें । यह भी कहा गया है कि अगले सत्र में इस को पेश किया जाय ।

श्री बूटा सिंह (रोपड़) : ये 11 धर्मपुत्र कम्युनिस्ट पार्टी के होंगे ?

श्री सरजू पांडे : चाहे जहां से बना लीजिए हमारा कहना है कि 11 मेम्बर अध्यक्ष नामिनेट करेंगे और किस को करेंगे यह उन के जिम्मे होगा । हम तो कहते हैं कि कांग्रेस को ही बना लिजिए लेकिन आप को तो डर वहां पर भी है कि कौन आप का साथ देगा कौन नहीं देगा ? दिल में डर है, सच्ची बात तो यह है । और कम्युनिस्टों को बना दिया आप ने तब तो दूध का दूध और पानी का पानी निकल आएगा । यह मैं दावे के साथ कह सकता हूं । आज भी केरल में कम्युनिस्ट पार्टी के मंत्री हैं, उन के ऊपर कोई आरोप नहीं लगा सकता कि उन्होंने घूंस ली । हमारे मंत्री संविद सरकारों में

[श्री सरजू पांडेय]

रहे है, बिहार मे रहे हैं, पजाब में रहे हैं, उत्तर प्रदेश मे रहे है । मै दावे के साथ कह सकता हू कि आप को कभी हिम्मत नही होगी कि कम्युनिस्ट मत्रियो के खिलाफ कोई आरोप लगा सकें ।

तो मैं चाहता हू कि इस मामले की जाच पार्लियामेट के मेम्बरो के द्वारा हो । लाइमेस मिश्रा जी के जमाने मे मिला, चट्टोपाध्याय जी के जमाने मे मिला नारग के जमाने मे मिला बिस के जमाने मे मिला और वह बेचारे तुलमोहन राम कहा चले गए ? उस गरीब को पकड कर लाना है । तीन लाख रुपया वह अकेले खाएगा ? है हिम्मत उसकी ? वह तुलमोहन राम जो बकरी भी नही चुरा सकता वह तीन लाख रुपये हजम कर गया और आप देखते रहे ? उस ने 21 मेम्बरो का जाली दस्तखत बनाया ? इन के दस्तखतो की जाच होनी चाहिए और उस तुलमोहन राम को हाजिर करना चाहिए ताकि हकीकत मालूम हो सके और किसी मेम्बर ने दस्तखत किए है तो उस को स्वीकार करना चाहिए । भागना नही चाहिए । हजारो दस्तखत होते रहते है जब कोई एक आदमी हमारे पास आता है और कहता है कि दस्तखत कीजिए यह बात है, तो हम तो एक्स-पार्टी उस की बात मान लेते हैं । इसलिए मेम्बरों के सिर खेलने से ज्यादा अच्छा है कि गहराई मे जाइए । उन अफसरो को पकडिए, मत्रियो को पकडिए जो इस के लिए जिम्मेदार हैं और इस के लिए हम फिर आप से माग करते हैं कि पार्लियामेट के मेम्बरो की एक कमेटी बनाइए । इसी से देश में आप की प्रतिष्ठा बढेगी, इज्जत बढेगी और देश सही माने मे आप को जान सकेगा कि आप इस मे बचना चाहते है और सी बी आई को दे, इधर दें, उधर दे, इस से काम नहीं चलेगा । लोग कहेंगे कि सी बी आई तो इन्ही की है जो चाहे करवा ले, तो फिर इस से आप की प्रतिष्ठा साफ नही होगी बल्कि और बवले में पडेगी ।

देश मे स्वस्थ शासन लाने के लिए मैं फिर आप से कहता हू कि समाजवाद का नारा देना बन्द कर दीजिए । समाजवाद का नारा अगर देना है तो हिन्दुस्तान के पूजीपतियों पर हमला कीजिए जो मत्री खरीदते है, न्याय खरीदते है, जज खरीदते हैं । इनको खत्म किए बिना आप कभी भी भ्रष्टाचार मिटा नही सकते । वे दिन भर यहा घूमा करते है । सारे पूजीपति यहा दिन-भर चक्कर लगाते है । (व्यवधान) रेड्डी साहब उस मे आप भी एक हैं । पकड जाइएगा और हम तो आप से बता देते है कि अगर कम्युनिस्ट पार्टी की सरकार होगी तो हम तो रहम करने वाले नही हैं । हम इन पर दया नही करेंगे । कम्युनिस्ट पार्टी की सरकार होगी तो चाहे कितना बडा भी उस का प्रभाव हो हिन्दुस्तान के पूजीपति और भ्रष्टाचारी लोग पकड जाएगे ।

मैं इस प्रस्ताव का समर्थन करता हू और आशा करता हू कि आज पार्टी से ऊपर उठकर आप इस को स्वीकार करेंगे । केवल दलील देने वाली बाते नही करेंगे । मुखी अभी आए हैं इसलिए मैं फिर इन से कहता हू कि चाहे कितना भी आप ने कांग्रेस के बारे मे पढा हो, मगर कांग्रेस की प्रतिष्ठा तभी उठ सकती है जब कि मेम्बरो के सामने सारी चीज किताब की तरह खुल जाय और पूरा पूरा वाकया मालूम हो जाये । तभी देश की जनता का विश्वास भी बढ़ेगा ।

SHRI DINESH CHANDRA GOSWAMI (Gauhati) Mr. Chairman, Sir, Shri Atal Bihari Vajpayee's eloquence and oratorial ability has few parallels in this country, I concede that the flow of words from his mouth is like the flow of the river Ganges or Brahmaputra.

I concede that I lag far behind him in his ability as a Parliamentarian. But, Sir, let me assure him and assure all the members of this House that I do not lag behind any one of them in their concern for the maintenance of the dignity and decorum of this House and also in their concern for the maintenance of the honour and the prestige of the members of this House. In fact, I feel that my concern for maintenance of the dignity and decorum of members of this House is much more than that of the Members of the Opposition who have preceded me, because though Shri Vajpayee and the others have many innings to play in this Parliament and in the political life of this country they have scored many runs and some centuries. But I am a newcomer into this House. Not to speak of scoring centuries, I have not even been able to get a proper feel of the wicket as yet till now. I feel that many of us new-comers not only of this side of the House but also those who are on the other side of the House have taken great risks in our life because to us, politics is not the be-all and end-all of our lives. We came to politics from different professions, taking a great risk of our career because the water-shed of 1969-71 opened up new avenues for us. It created an atmosphere where we thought that we should also make our contribution to the national reconstruction. Therefore, those of us for whom politics is not the be-all and end-all of our life, we want to go out of our parliamentary life, whether it be in the next few years or after many years, with our heads high. Anything which creates a cloud in our integrity, in our honour should be cleared and I am more concerned about it than anybody else.

A question may be asked. Why is it that when I am so concerned with the honour and dignity of this House and its members, I am opposing a parliamentary probe? At one stage, I concede, many of us thought that a parliamentary probe would be desirable. But, after listening to the debates of the last seven days, I have come to the positive conclusion that a parliamentary probe is not going to be the solution of the entire issue and I am going to place before you my own reasoning as to, why I have come to this conclusion.

Of course, nobody can equal the eloquence of Shri Vajpayee. Undoubtedly, in the parliamentary probe some of his own Members or himself will be there. Now, he told the House that he would bring all the materials to prove that Shri Tul Mohan Ram was guilty. May I ask him? In the parliamentary probe will you be a prosecutor or will you be a witness or will you be sitting as a Judge or will you act in all these capacities? What will be the tasks of the probe? The task of the probe will be to act as a quasi-judicial body to find out the truth and report the same to this House. Shri Vajpayee said, 'I have got all the evidence to prove to guilt of the member.' Then, in that case, you stand as the prosecutor. The moment you say that you have all the evidence to prove the charge, you have lost all your rights to be a member of the probe because you become not a judge but a prosecutor or a witness. .

AN HON. MEMBER: He may not be on the committee.

SHRI DINESH CHANDRA GOSWAMI: But when you say that we are being pressurised by our leaders, how can we be sure that he will not pressurise his own members?

I have heard the speeches of Shri Shyamanandan Mishra and Shri Jyotirmoy Bosu. I ask you again. You have levelled a charge against Shri Lalit Narayan Mishra. I am not here to defend him. But will not Shri Lalit Narayan Mishra to-day have an apprehension that if you are asked to judge his case, he will get a fair-play and justice at your hands? After you have prejudged this case and because of the fact that you have tried to make a political game out of it, this House has lost all its moral and legal right as a parliamentary body to probe into

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this entire episode. Therefore, I feel that on the first ground, I think this Parliament has lost its right to act as a probe-making authority.

Undoubtedly, when this case will go before the court, I expect Shri Vajpayee to place all the material before the court. If a certain thing is found against a Member of Parliament or against a minister, or against anybody; I can assure you that I shall lend my support for taking action against that member or Minister for the misconduct. We do not want to suffer because of their misconduct. At the same time we do not want to prejudge the issue. Otherwise you will try to make a political gains out of it. That is my objection.

We have seen from the trend of speeches that the entire attack is directed against the Prime Minister, our leader. The opposition parties have now come to realise that so long as the image of our Prime Minister remains in this country, they cannot have a political base in this country. You want to throw mud at us. I ask: what qualification does Shri Modi have to become a Prime Minister except that his initials in the name begin with P.M.? Coming to the second point, under the law of the land, every citizen has equal rights. I can say that in matters of privileges if, under the law of the land, a certain action is taken we cannot claim any higher privileges than of any other citizen. I may quote:

> "Every detention, by whatever name it is called, preventive or any other, as was pointed out by the Committee of Privileges in the House of Commons, concerns the community as a whole."

In this particular case, we are not merely concerned with the maintenance of the dignity and decorum in this House. When we are concerned with a criminal offence, that is a crime against a society and if it is a crime against a society, by any individual in this country, be he in this House or outside, has a right to follow up the proceedings. We have got no moral right to keep that within the preserves of our own. In that Committee Deshpande Committee—in the First Report of the Privileges Committee, they say:

> "It has further to be remembered that the fundamental principle is that all citizens including Members of Parliament have to be treated equally in the eyes of law unless it is specified in the Constitution or in law that a Member of Parliament cannot have any higher privilege than that enjoyed by any ordinary citizen in the matter of application of the laws."

Therefore, what is the law of the land to-day? The law of the land is that when a person commits an offence, he has to subject himself to the criminal jurisdiction of this country. We have no moral or legal right to claim a higher privilege than other citizens of this country on this aspect. Therefore, I feel that on that ground, we have got no moral authority. The moment it has been established that it is a case where some criminal offence has been commited we have to subject ourselves not to the parliamentary probe, but to the jurisdiction of the court. In the Mudgal case, reference to which has been made by many members, a committee was appointed to find out whether the conduct of Shri Mudgal was derogatory to the dignity of the House and inconsistent with the standards that Parliament is entitled to expect from a Member. The facts of the case are entirely different from the present case as in that case no criminal offence was commited but there was a breech of parliamentary ethics.

19.00 hrs.

After all, these are two finer things which we all must remeber—one is an offence which amounts to a crime against the society and the moment it becomes an offence, it goes out of

the preserve of us and it becomes a property of the nation and the other is the ethical question of this House which is not an offence. In such a case where there is a breach of the ethics, it is for us, the Members of Parliament, to decide. I may give numerous other examples. Take the case of a member of the bar. If a member of the Bar is found guilty of his professional misconduct, which does not amount to an offence it is for the Bar Council which has got the right to try him for the breach. If a member of the medical profession has committed a breach of medical ethics, it is for the Medical Council to try him for the professional misconduct. Similarly, in a journalist has committed a breach of journalist ethics it is for the Press Council to try him as this is primarily the concern of the Press Council. But if a criminal offence is committed all there bodies do not come into the picture. The law of the land comes into operation as the matter comes under their jurisdiction. Similarly, if a criminal offence is committed and Members of Parliament are involved in it, with all the rulings of this House and the constitutional provisions that we have, we are no better than ordinary citizens and in such cases, only a criminal court can try them for such criminal offences. We are entitled to maintain the interests just as the members of the Press, Bar or medical profession are entitled to maintain the interests of their own. Otherwise, pressmen may say are we in any way inferior to the legislators? In the same way, even if an offence is committed by a member of the Bar Council, the Bar Council may say—you cannot go to a court of law. So, my submission will be this. On this count, that if it is a criminal offence, the criminal offence must be tried in a court of law which has got the criminal jurisdiction. We have got no authority to take the entire case within our fold. I do agree that when the report or when the judgment connected with the entire criminal case comes if the court has come to a conclusion that certain acts have been committed which does not constitute offence but breach of Parliamentary ethics, then this House can sit in judgment and find out itself as to what punishment can be given to such Members. At the same time, when a case is under investigation, we cannot take one part here and another part there. Therefore, my submission will be that apart from political considerations, from purely legal considerations also I feel that this case cannot be tried by a body of this House. During this Debate, Shri Vajpayee and others said that they have no confidence in the C.B.I. They referred to the cases referred to the C.B.I. against the officials. In criminal cases when the officers are tried by the C.B.I., cannot a Member of Parliament be tried for similar offences? You are saying today that you have no confidence in the criminal courts even. Cannot an ordinary citizen come and say that you Members of Parliament have framed I.P.C., Cr.P.C. etc. and when you do not have confidence in the court of law, then what moral authority have you got to ask us to be tried by the same court of law?

By so saying you are not only creating a cloud in Parliament but you are also unconsciously hitting at the concept of rule of law of our country. My objection lies there. The feeling of Shri Vajpayee is that for all times to come, his House will ask for a reference of a case to the C.B.I. The C.B.I. is a beautiful organisation. And so far as officers are concerned, cases are referred to this organisation. But, I object to this case being referred to a Parliamentary Committee for a probe on this ground alone. I want to emphasise once more with all the emphasis at my command that if a Parliamentary Probe is agreed to, then we want that the cloud hanging over the names of these 21 members should be removed. We would strongly urge that those who are guilty should be tried and punished irrespective of the fact whether he belongs to our party or to any other party. I urge upon the Government to take steps to dispose

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of the cases as expeditiously as possible. After this is done, then the entire case record may be placed before the House and at that time if we feel that there are certain matters which the House should deal with apart from the legal jurisdiction we shall consider it at that stage. I feel that it is essential for every Member of Parliament to maintain the dignity and decorum in the House and we should not allow the reputation of this Parliament to go down. Therefore, I plead for strong action in this case. For all the reasons that I have stated, I feel from my heart of hearts, from my own conviction, that Parliamentary probe is not a desirable course at this stage and that is why, I am opposing this motion.

SHRI SEZHIYAN (Kumbakonam). Mr. Chairman, Sir, this sordid affair of the import licence scandal has done incalculable damage to the prestige of the House, to the confidence that people have in parliamentary democracy in this country Sir, in the last thirteen or fourteen days, legislatures and legislators have become fit subjects for cartoons and caricatures. Take any paper. You see a cartoon like this In one cartoon, a group of legislators are coming out. I do not know whether they are Ministers or not. The cartoon says 'Yes. They are calling us crooks and gangsters, but, just don't pay any attention Otherwise, our name will be in mud'. Another one says 'I cannot say whether the signature is mine or not; I change it every day to guard against forgery' To this extent, legislators have been brought down in the esteem of the country, have become the laughing stock of the intelligentsia in this country The feeling is 'Don't pay attention to any of these charges; It will die down of its own accord; Another crisis will come and this will be forgotten'. This is the pet theory the other side is having. I am not able to find any logical and plausible reason why the Members on the other side are opposing this motion moved by Shri Atal Bihari Vajpayee. Sir, in this case, it is not important whether the signatures are genuine or not, whether they are forged or genuine ones. This is only secondary. Even granting that all the signatures are genuine, are you going to accept this position that licence can be bartered?—if it is 20 signatures—Rs. 30 lakhs and if it is 40 signatures, Rs. 60 lakhs. More than individual Members, it is the system, it is the attitude of he Government, which is under question now. It stands discredited this day in the eyes of the public and unless it is retrieved, people will lose all confidence in the working of parliamentary democracy in this country. Sir, again and again, I say, it is the attitude of the Government that is worsening the entire situation It is the attitude of the Government in sulking, in refusing to give even the basic details that the Opposition has been wanting all these days, which is in question now Even to know when the case has been registered, it took seven days for us He says 'within a couple of days' Why not give the exact date? By refusing to give all the details, what happens? It gave more room for speculation, rumours, more slander and slighting. This has happened inside the country. The Members who preceded me Mr. Goswami and others, were again and again saying that this House cannot take notice Somebody said it has lost its moral capacity I do not want him to judge by his own standard the entire House.

SHRI K. P. UNNIKRISHNAN: DMK's standards will be tragic.

SHRI SEZHIYAN: Mr. Chairman, I am ready to face any of these charges that is claimed against DMK. DMK has never hesitated to place the facts before the House whenever any charge was brought. Even now, I would ask, if any of the Congress members have the guts to come before the Assembly of Tamil Nadu and ask for a legislative probe, I will

ask my party to subject itself to that. Do you have that guts?

SHRI K. P. UNNIKRISHNAN (Badagara): You walk along the streets of Tamilnadu; it stinks... (*Interruptions*)

SHRI SEZHIYAN: I belong to a small group here. Please come and see the Tamilnadu Assembly; when the Members of the opposition speak we patiently hear because we believe in debate and in democracy We do not go taking petitions to other places. I am glad that they are not complacent. It is also hurting them in the most despicable way That is why Members are coming forward like this. It is not the Tamilnadu Assembly that is in question here.

Some hon Members say that the CBI is the most appropriate machinery to investigate They find fault with Mr Vajpayee and others for not relying on the CBI But even before Mr Vajpayee could speak, what did your own members in the Rajya Sabha say? Mr Krishna Kant in the course of the debate in Rajya Sabha said "If they are genuine signatures Parliament should go in for an enquiry CBI cannot go into it We know that the CBI was headed by Darbari and now he is in the Railway Ministry. Therefore, no more CBI; it must be held by Parliament." Again on the 28th when this question came up here, Mr. H K. Singh said: "I most emphatically demand a parliamentary probe into the whole issue." He is still in your ranks Shri Inder Malhotra said that a special parliamentary committee be constituted to go into the entire episode. Even today in the amendments given to the main motion, Mr. B. V. Naik has come with an amendment, saying add at the end—"and that the eleven members nominated to the committee be those who have honestly worked for their living all their lives and who will make a statement of their financial position before, during and after the above parliamentary probe."

That means he accepts the basic resolution. He differs on the composition.

SHRI B. V. NAIK (Kanara): Why are you prejudging me. You are a seasoned parliamentarian. Does an amendment invariably means acceptance of a resolution? You are forfeiting my right to particpate in the debate Kindly wait for sometime.

SHRI SEZHIYAN: I cannot prophecy what he is going to say, I have only read what he himself had written. I do not know whether he holds the opinion that there is no Member inside the House who fulfils this qualification.

SHRI B. V. NAIK: I do not hold that opinion.

SHRI SEZHIYAN: Shri Shenoy has moved an amendment Shri Nimbalkar has moved another amendment. They are worried about the composition of the committee. Now let me refer to the charges which have been made Their main objections are these. Before appointing a parliamentary committee, we should first have the investigation done. Secondly, unless a *prima facie* case is established, you cannot have a parliamentary committee. Thirdly, there are other parties involved and so a parliamentary committee will not satisfy the need of the situation. Fourthly, this case is different from Mudgal's case That was a civil case; this is a criminal case They ask, if a doctor, after committing a serious crime says, "I would not allow myself to be examined by a court of law; I should be examined by my own tribe", will you accept it" To this my reply is, we are not concerned here about the criminal act of individuals. We are concerned with the conduct of members in their capacity as MPs. As MPs these 21 members have done something which has roused some suspicion. Even now I am not quite sure; they may all be

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honest, as honest as Shri L. N. Mishra, if not more. But in the mind of a normal person, some suspicion has been created. Otherwise, this Government would not have ordered a CBI enquiry. Prof. Chattopadhyaya never used the word 'investigation' in the other House; he was very careful to say 'verification'.

I will take their objections one by one. Firstly, the attitude of the Government is changing. When certain charges have been made against MPs, it should have been the duty of the Government to go to the Speaker before taking any action. That is what happened in Mudgal's case. Pandit Nehru said.

> "When certain information was brought before me as Prime Minister, I gave careful thought to it and I proceeded to draw the attention of the hon. Speaker to that information On his advice, I moved the House in this matter so that a committee of enquiry may be appointed."

It is not as if he rushed to the CBI.

SHRI VAYALAR RAVI (Chirayinkil): In that case, other members complained to the Prime Minister that Mr. Mudgal was misusing his membership of the House. In this case, the concerned members have denied the charge on the floor of the House and said their signatures were forged.

SHRI SEZHIYAN: It is not merely forging of signatures; it is much more. The whole country is agitated over the way the import licences are dispensed with. In that case, before referring it to a parliamentary committee, Pandit Nehru thought whether he can hold a secret enquiry, but he ruled it out. He said:

> "I can either myself make an enquiry publicly or secretly in Bombay or elsewhere or come to the House for a formal enquiry rather than any kind of secret enquiry which we may get going and then report to the House. That would not have been fair. I thought the best course would be to place all the facts before the House and ask the House, if it so chose, to appoint a committee to go into the matter..."

Therefore, it is not as if he wanted to have his own enquiry. He did not use the CBI before coming to this House. He said that whatever facts are before him he will place before the House and it is for the House to judge it This is what Shri Jawaharlal Nehru said as Prime Minister. He said that even though he is not able to prove it *Prima facie*, since there is room for further enquiry, a proper enquiry, he could not think of any other way of holding the enquiry except by bringing such a motion before the House

Here I want to raise some fundamental questions Firstly, we have not been given any material worth the name It took us seven long days to find out that the case was registered on the 2nd of September We could not have even the FIR before us The House is naturally very much concerned with the basic facts.

I would here very briefly summarise the case In 1955 additional quota permits were given, as rightly pointed out, in Pondicherry and Karaikkal, omitting Mahe and Yenam In 1956 the rectification came, but it did not help, because there was discontinuity. Then things went on for some time In 1959 it was made a uniform policy so much so whether it is Karaikkal, Mahe or Yenam, they were merged into one pattern. Afterwards, they were applying again and again. Writ petitions galore were filed in the courts of both Madras and Delhi. They engaged the best talent in the legal profession to fight and the Government was also fighting. I have got some friends in the Madras High Court. Late in 1971 or the beginning of 1972, when litigation was going on, suddenly one day it was called off. They said that they were withdrawing their cases. How did it

happen? I want to know why these writ petitions were suddenly withdrawn. Secondly, I want to know who were the persons who filed writ petitions in the High Court, who withdrew them and how many of those who withdrew their writ petitions were favoured with licences. It would be interesting to know this.

Then, towards the end of 1972 or the beginning of 1973 some top official connected with the sanctioning of import licences specially went to Pondicherry and went through these applications and after he came to Delhi the licences were issued. I want to know whether it is a fact or not that a top official from the Import Controller's office went to Pondicherry.

Then, I have been told by some people in Pondicherry that one of the signatories in the long list, in fact the very first name, Shri Tulmohan Ram, had earlier written an individual letter on the same subject Then, what was the need for him to write another memorandum, securing 20 more signatures? Then I want to know how the officials of the Ministry come to doubt or suspect whether the signatures were genuine or not. Who told them? It is not the CBI that moved in the matter first. It was some officials in the Ministry who rang up individual members to find out whether they had signed the letter or not. I want to know who gave the clue, where it started. The CBI came later. I want to know why, after interrogation from the officials or investigation or verification by the CBI, the concerned members did not come to the Leader or Speaker from whom they are expecting all the patronage and protection now. Why did they not come earlier? My understanding is that the CBI came even earlier than 30th March when the revelation in the *Blitz* had come. I also want to know what were the endorsements made by the hon. Minister when he received this, whether any acknowledgement was sent to all the members as is usually the case and when the import licences were issued, whether any intimation was sent to the members who had signed that letter. More than these things, I want the file to be gone through very carefully because I understand from a person coming from Pondicherry that he came all the way here. He says that, about a few days before February 6, 1973, one of the top officials connected with the Minister and the Ministry sent a note to expedite this case It is not as if the Minister himself had put the endorsement It has been done three times, I am told These things will be there Please find out.

Therefore, the question is not merely whether these signatures are genuine or not That is only secondary for me. I want to know how these licences came to be issued, why a particular member who first wrote a letter thought it fit to send another letter with the purported signatures of 21 MPs, why the writ petitions were withdrawn, what was the understanding, written or oral, why those persons who contested the case in the court came to be favoured with licences later on. These are all things which only a Parliamentary Committee can go through These things cannot be left to the CBI The CBI is only a creature of the Government. The CBI, rightly or wrongly, has been asked to investigate or verify. Therefore, in my amendment I have said that the following be added at the end of Mr. Vajpayee's motion:

> "and that the Central Bureau of Investigation shall submit to the Committee by 30th September, 1974, its report of verification/investigation in the matter along with all documents and evidence available with them and shall render further assistance as required by the Committee."

If you want that Parliamentary democracy should continue, you should agree to a Parliamentary probe. If you want to regain the confidence of the people in the working of Parliamentary system, it can be done only

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by a Parliamentary probe. That was what Prime Minister Pandit Jawaharlal Nehru did 23 years ago. Now, 23 years later, things have changed. What a fall in the standards!

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): Mr. Speaker, Sir, I have carefully heard the interventions made by the Hon'ble Members on both sides of the House, today and over the last week or so, on the 'import licence issue'. The numerous legal, administrative and other aspects of the issue have been commented upon at length during the earlier part of the debate. I would at this stage like to set some factual aspects of the matter straight.

After the merger of the former French Possessions, viz., Pondicherry, Karaikal, Yanam and Mahe, with the Union of India in November, 1954, the Import-Export Control Act and the Orders issued thereunder were made applicable to the said territories. Of these territories, only Pondicherry and Karaikal were ports of call. Government allowed additional licensing facilities to the former French Possessions, and the first Notification in this respect was issued on June 11, 1955. The caption of the Public Notice was "Grant of Additional Licences to importers in the former French Indian Establishments for the period January-June, 1955". In the said Public Notice it was mentioned that additional licences would be issued to the Established Importers in Pondicherry and Karaikal, while no mention was made to Yanam and Mahe. The importers in Pondicherry and Karaikal were not satisfied with the facilities given and a Public Notice was issued on July 14, 1955, giving some further special additional licences. Again, Yanam and Mahe were not mentioned. This continued to be so in the announcement made for the ensuing period on November 21, 1955. The importers of Yanam and Mahe had been representing their case for the social additional licences to the Government and Government ordered in the Public Notice issued on December 20, 1955, that the facilities given to the importers of Pondicherry and Karaikal should be extended to Yanam and Mahe for the first time.

Hon'ble Members will appreciate, therefore, that the rectification of the Public Notice has not been done recently but was done as early as in 1955. Some importers of Yanam and Mahe, who had offices in Pondicherry and Karaikal, could avail themselves of this facility. However, others could not, for the last date prescribed for filing applications under this Public Notice was December 30, 1955, leaving the intended beneficiaries scarcely ten days to apply and the Christmas holidays intervened. Later on, it was decided in 1964 that any application received between the 1st and the 31st January, 1956, would also be considered. Unfortunately, this administrative decision was of no benefit to the importers of Yanam and Mahe, who had not applied prior to January 31, 1956. The policy for the next ensuing period was announced on May 10, 1956. The importers of Yanam and Mahe could not take advantage of this policy because only those importers who had obtained licences in January-June, 1955, and July-December, 1955, were eligible for licences on a 'repeat basis". The licensing policy on "repeat basis" continued till September, 1959, and thereafter the facility for special additional licences was abolished.

During these years, the importers of Yanam and Mahe, who were left out, have been representing off and on for securing additional special licences for the period 1955 to 1959. Government continued to take the stand that since they were not eligible for securing these facilities on a "repeat basis", their claims could not be entertained. Accordingly the Ministry answered a Question in Parliament in 1967 to the effect that no discrimination had been made against the importers of Yanam and Mahe. The representations from the importers of Yanam and Mahe, however,

continued. Some of the importers had also filed writ petitions to the Delhi High Court. During the pendency of these petitions it was not possible for Government to take any decision on these representations. After the writ petitions were withdrawn the Ministry re-examined the matter from a point of view of whether the denial of these licences was consistent with the principles of equity and justice. In this connection this memorandum which has been the subject matter of our discussion for the last few days, addressed to the then Minister of Foreign Trade, was received on November 23, 1972. Even prior to the receipt of the memorandum three other representations on the identical subject were received in the Ministry and were under examination. The earlier representations of the importers of Yanam and Mahe and this memorandum were duly examined and processed in the Ministry and in the Office of the Chief Controller of Imports & Exports. After a thorough examination we came to the conclusion that some injustice had been done to the importers of Yanam and Mahe, even though this was not the intention of Government. I, therefore, decided in September, 1973, that some relief may be accorded to such of the importers of Yanam and Mahe, who fulfilled the rules of eligibility. While taking this decision. I was promoted only by the consideration that when a case of injustice causing hardship had come to the notice of Government, the hardship caused thereby should be removed to the extent possible. However, while granting this relief, certain special precautions were taken and conditions imposed, circumscribing both the monetary ceiling and the permissible items of imports. I would like to submit here, Sir, that these firms were not black-listed, debarred or non-existent.

Sir, after the issue of the licences a reference was received from the Lok Sabha Secretariat raising suspicions about the matter. Immediately the matter was referred to the Department of Personnel which is the administrative Ministry for the C.B.I. A preliminary verification was undertaken. The preliminary verification of the C.B.I., which contacted the Hon'ble Members of Parliament, their statements before this House, and the letters which I have subsequently received from them show that their signatures were not genuine. Only one of the Hon'ble Members concerned, Shri Tulmohan Ram, has admitted his signature according to the C.B.I. report. (*Interruptions*).

सभापति महोदय : मेरी आप से दरख्वास्त यह है कि आपको मालूम है इसके वास्ते चार घंटे दिए गए थे, टाइम काफी हो चुका है और अब टाइम बहुत कम है । में दो तीन मेम्बरान को मौका दूंगा कि मिनिस्टर साहब की स्पीच के बाद उनसे कुछ क्लैरिफिकेशन कर सकें ।

SHRI D. P. CHATTOPADHYAYA: I received the Report of the C.B.I. on the 31st of August and I passed orders on the 1st of September for the registration of a case on the basis of the preliminary findings of the C.B.I. I would like to add here that the investigation by the C.B.I. will cover all aspects of the matter. If any malpractice come to light in the course of the investigation, necessary action will follow.

I would like to emphasise that whatever I said in the other House of the Parliament on August 27, 1974, was not intended even in the faintest manner to show any disrespect to any of my Hon'ble colleagues, Members of Parliament, or to impair the dignity of this august House. I am just as anxious as other Hon'ble Members to get to the root of the whole matter. Our Government and I are committed to uphold the values of Parliamentary democracy and to maintain the highest possible forms of administration and public morality.

श्री मधु लिमये : मेरा सवाल यह है कि इन्होंने कहा इसी विषय के बारे में तीन

[श्री मधु लिमये]

रिप्रजेन्टेशन आये थे। तो किन लोगों ने अपना दस्तखत दिया था, और क्या उस में लोक सभा और राज्य सभा के सदस्य थे, भूतपूर्व या वर्तमान ?

और दूसरा यह कि जो लाइसेंस है ऐक्स-प्रेशिया है। और क्या वह उस से ट्रफिक कर सकते है ? आप ने कहा कि यह ब्लैक लिस्टेड फ़र्म्स नही है। लेकिन क्या यह बात सही नही है कि इन लोगो ने अपने लाइसेंसेज को बेचना शुरू कर दिया है ?

SHRI JYOTIRMOY BOSU: I repeat my question. How many years did litigation continue? Who took the initiative for the withdrawal of the case? What was the basis and reasons for the same? Three predecessors of Shri L. N. Mishra, I am told, rejected the applications of these people and that one what ground and on what grounds it was reversed As far as CBI enquiry is concerned I have suggested four distinct items. When he says all aspects does he mean all the four things are covered?

SHRI K. P. UNNIKRISHNAN: Would the hon. Minister clarify and state whether it is a fact that a former Member of this Parliament belonging to Communist Party (Marxist) was the first to put in representation with regard to these licences and whether he is aware of the allegations that he had also taken Rs. 1½ lakhs for the same.

सभापति महोदय : आप को तो जवाब देना है।

श्री अटल बिहारी वाजपेयी : जवाब कैसे दूगा जब तक सवाल नही पूछूंगा। प्रो० चट्टोपाध्याय ने इस बात पर प्रकाश नहीं डाला कि राज्य सभा में इस सदन के 21 सदस्यों के नाम लेने से पहले उन्होंने उन सदस्यों से सम्पर्क कर के यह पता लगाने का प्रयत्न क्यों नहीं किया कि उन मे से कितनों के दस्तखत सही हैं और कितनो के जाली है। क्या यह सच है कि जब उन्होंने राज्य सभा मे सवाल का जवाब दिया तो उनके सामने सी० बी० आई० की जाच की रिपोर्ट नही थी ? और अगर थी तो उन्होंने फिर नाम क्यों लिये ? और आज कह रहे है कि सदस्यों की गरिमा की रक्षा करना चाहते है। उनकी गरिमा खतरे मे डाल कर रक्षा करने का दावा करने का क्या मतलब है ?

SHRI PRIYA RANJAN DAS MUNSHI: I want to have a clarification whether in this particular case the Ministry acted on the merits of the licence holders or just on the memorandum of the MPs?

SHRI PILOO MODY: I want to know who fabricated this fairy tale.

PROF. D P. CHATTOPADHYAYA: I will be speaking first from Mr. Limaye's questions. To the best of my memory and recollection One of the previous representations was submitted by Shri Tul Mohan Ram. Sir, then, the question of *ex-gratia*.... (*Interruptions*). I am saying, Sir, that one of the representations was submitted by Shri Tul Mohan Ram; the other two by the importers themselves. Sir, in regard to the question of trafficking, this possibility, I have taken care of when I said that if any malpractice comes to our notice, we will take care of it.

SHRI MADHU LIMAYE: No other Member was involved?

MR. CHAIRMAN: No discussion please.

आप की तरफ से माननीय मधु दंडवते बोलने वाले हैं।

श्री मधु लिमये : सभापति महोदय, मैं ने पहले ही पूछा था क्या श्री तुल मोहन राम के अलावा भी किसी मेम्बर का दस्तखत था ?

PROF. D. P. CHATTOPADHYAYA: Sir, they have raised some points. I am answering them. But, beofre I finish, if they start rising, how could I finish? Nothing to our knowledge has been brought raising or waranting any doubt that these licences have been trafficked into. If it is brought to our notice, we will look into it

SHRI MADHU LIMAYE: I have already brought to your notice

PROF. D P CHATTOPADHYAYA: Bearing that in mind, I am observing this

Sir, I now come to the question of Mr Jyotirmoy Bosu. Once in 1962 or 63, the Delhi Court, that is, the Delhi Bench of the Punjab High Court, went into this matter and then it was settled later on

SHRI JYOTIRMOY BOSU: When?

PROF D P CHATTOPADHYAYA: This is in 1962 or 1963.

SHRI JYOTIRMOY BOSU: When? was it settled?

PROF D P CHATTOPADHYAYA. It is a fact I am answering all the facts.

SHRI JYOTIRMOY BOSU: When was it settled and on what basis?

PROF. D P. CHATTOPADHYAYA. The basis is not known. People have withdrawn cases. That is the end of the story. As I said, between 1967 and 1971, cases were pending in the Delhi High Court and they were withdrawn and cases were re-examine, as I said. (*Interruptions*). Sir, the other question was this. I have said already that when I passed those orders on the 1st September, I impose certain conditions and restrictions circumscribing monetary ceiling and the items permitted. *Ex gratia* is not on the full value of the entitlement. If they had been given during 1955, only 50 per cent of that entitlement would have been given, on an *ad-hoc* basis and under conditions.

SHRI MADHU LIMAYE: What about *ex gratia*?

PROF. D. P CHATTOPADHYAYA: What is wrong in *ex gratia*?

SHRI JYOTIRMOY BOSU: *Ex gratia* means out of gratitude.

PROF. D. P CHATTOPADHYAYA: Literally, it may mean so.

But, on the basis of equity and justice, it is possible. To meet the ends of justice and equity we could do I would like to submit that it is inherent, it is constitutionally inherent in the power of the Government or and organ thereof to review its decision and if necessary to reverse it. One gentleman raised this question, perhaps it is Mr. Unmkrishnan. This matter was also represented by another Member, by name, Shri V. P. Nair

(*Interruptions*)

SHRI JYOTIRMOY BOSU: When?

PROF. D. P CHATTOPADHYAYA: It is during third Lok Sabha.

SHRI JYOTIRMOY BOSU: Sir, hon. Minister has misled the House. It was not the CPI(M), at that time. It was the undivided party.

(*Interruptions*)

MR. CHAIRMAN: He is answering.

SHRI JYOTIRMOY BOSU: It is not the CP(M).

PROF. D. P. CHATTOPADHYAYA: When I answered the question, I have just mentioned the name. I did not question the right or competance of

[Prof. D. P. Chattopadhyaya]

the Member to represent a public cause. I find nothing wrong that a case was represented by a Member of this party or that party. Let me make it clear.... (*Interruptions*). Mr. V. P. Nair who happened to be an M: P. represented the case of the importers as an advocate, during the Third Lok Sabha. Shri Vajpayee asked: while I answered the question in Rajya Sabha on 27th August, had I at that time the CBI's report with me? My answer is no. Therefore, I did not know anything about the possible outcome of the CBI report. About the fairy tale, I do not know about fairly tale.

SHRI JYOTIRMOY BOSU: Shri V. P. Nair was not in our party.

SHRI SHYAMNANDAN MISHRA (Begusarai): Mr. Chairman, the House has been treated to a most amusing and interesting phenomenon by the hon. Minister of Commerce. The parties to whom they were pleased to grant licence now have been painted as paragons of good conduct. In effect, the hon. Minister said that the Government had been wrong over a long period of 18 years. What the hon. Minister has said amounts to this that all the Ministers who preceded him including my hon. friend who sits by his side, namely, Mr. L. N. Mishra, B. R. Bhagat, Dinesh Singh and Manubhai Shah were devils who did not grant licence to them. This is what you have said in so many words. This is a very simple question. Why was so much resistance put in the grant of licence to derelict in its duty for 18 years, these 7 parties over the course of 18 years? If this Government had been whose fault is it? Have you taken to task those officials? Although Mr. Mishra has left the department, there are officials who are steeped in these scandals and they have been making money and leading the most scandalous lives possible.

The ruling party is hell bent to defeat this motion by physical force. They speak the language of numbers. Our language might be feeble, but it has the strength of logic and reasoning. If a secret ballot is taken in the ruling party, the majority of the ruling party would be in favour of this motion. That is what we find in the Central Hall. Although this motion may be defeated in the Lok Sabha hall, it has already been carried in the Central Hall. All your members would not hesitate to exercise their conscience, because conscience once aroused in 1969 cannot be expected to be lulled to sleep. Why are they coming in the way of passing this resolution? It would have redounded to their credit and to the credit of the parliamentary system as a whole. The hon. Deputy Speaker made some ringing, resounding observations the other day:

> "I am deeply and personally involved in this matter for the simple reason that I am the Deputy Speaker. When the names of hon. members are besmeared and when the whole country is talking about it, if we are not concerned, who else will be?"

He went on to say:

> "It is also to be considered whether MPs. could abdicate their authority when something affecting their dignity is concerned and hand over everything to some other machinery outside the House."

But this has been completely lost on them. Any such reasoning and logic is lost on them as water lost on the back of a duck. What kind of regard do they pay to the House? The opposition must be satisfied in such matters, that is what has been established in the U. K. What did Mr. Mac Millan say to Mr. Wilson in the Profumo Affair? And, mind you, this is no less stinking than the Profumo Affair. When Mr. Wilson raised the question of security in the Profumo Affair, Mr. Mac Millan said:

"I have been thinging about our talk on Monday. I am sure in my own mind that the security aspect of Ward's case has been fully and efficiently watched. But I feel it is important that you should have no doubt about it."

Here the entire opposition is full of doubt about the way they are proceeding in this matter. But you have absolutely no regard for the views of the opposition, you have no regard even for the views of the hon. Members of your own party. They have been living from one day to another There were these glorious 21 and the other glorious 51 have represented to you that there must be a parliamentary probe into this matter. What are you doing about it? You did not heed to the voice of the chair, the hon. Deputy-Speaker, you did not heed to the voice of the opposition, you did not heed to the voice of a section of your own party. That is how you have been behaving in this matter

20 hrs.

SHRI DINESH CHANDRA GOSWAMI: Do you heed the advice of the Chair?

SHRI SHYAMNANDAN MISHRA: Now, because of the most irresponsible attitude that the ruling party has taken in this matter, the entire Parliament is in the dock, the entire government is in the dock. You hear the worst speculative allegations against the entire fraternity of Members of Parliament and the entire parliament is now living under a cloud of innuendos. Who is responsible for it? If you had agreed to a parliamentary probe right in the beginning, all this speculation would not have been rife in the country. I must repeat this is all because of the kind of irresponsible attitude you are taking in the matter.

Are you saving the reputation of the 21, or 21 minus 1, Members of Parliament? There is bound to be a penumbra of speculations around their names. Unless there is a parliamentary probe in this matter, dirty allegations would continue to dog their names. There can be absolutely no doubt about it. And the impression in the country is that groups of MPs are on sale, they have stuck up on their heads the banner "come on, we are prepared to sell ourselves to the highest bidder." This is the unfortunate impression you have created because of your approach.

Should it be an enquiry of the kind that they are now suggesting? Would a CBI enquiry be enough? Would that kind of enquiry be full and sufficient for vindicating the honour of the Members of Parliament whose names are alledged to be associated with the letter? This is a very basic question to which you must address yourself as this is not going to clear their names, whatever you might say Therefore, one is bound to ask is this enquiry meant for the satisfaction of the Ministers and the members of the ruling party only? If that is your limited view if that is the limited dimension in which you are looking at this problem, I think, you are bringing the whole Parliamentary system into disrepute.

The real question, therefore, is how to restore the confidence of the people in the honour and integrity of Parliament which has been so rudely shaken . .

SHRI PRIYA RANJAN DAS MUNSI: By going to the people.

SHRI SHYAMNANDAN MISHRA: Yes. Come to Bihar:

Has not a reasonable belief been created that there has been something unsavoury and shady in this matter? What did Lord Dennnings say in the Profumo affair? The crucial question was not whether Profumo had slept with a girl, the question was whether there were circumstances in which a

[Shri Shyamanandan Mishra]

reasonable belief could be created that he had indeed, slept with a girl.. (*Interruptions*). Similarly, the question here is whether, in the given circumstances, a reasonable belief would be created or not that certain shady things had taken place in this matter. And who has deepened the suspicion regarding the involvement of the Members of Parliament in this matter? It is not the Opposition which has deepened the suspicion about them; it is the ruling Party and particularly the Ministers of the Government who have deepened the suspicion about the conduct of these 21 MPs, even after many of them, about 18 or 19, had specifically and categorically disowned their signatures The Government's statement is tantamount to saying with a degree of plausibility that there is a *prima facie* case established after investigation that 'X' number of Members of Parliament seem to have committed an offence. That was the statement of the hon'ble Law Minister. He has said that, after investigation by the CBI, a *prima facie* case has been established that a certain number of Members of Parliament seem to have committed an offence. .

AN HON. MEMBER: No. That has been corrected.

SHRI SHYAMNANDAN MISHRA: I am giving the corrected version. Let us see what the authoritative statement from the Law Minister was. He has said that the CBI has come to the *prima facie* conclusion that some offences seem to have been committed. Then he said something which was not correctly reported, according to him. So, he said on the following day, after correcting this, when he was cross-examined, that what he said was; as a result of the investigation, it had been found that the persons who might have committed the offence might not be all Members of Parliament of the House; the argument that he was developing was that outside persons could be involved. Now the proposition that the hon. Law Minister established was that there might be 'X' number of Members of Parliament involved but there was an extraneous element also. So, it might be X plus one or Y. So the hon. Law Minister has definitely deepened the suspicion about the conduct of many Members of Parliament and there can be no gain saying this.

Then, the view is taken—the contention is—that a *prima facie* case must be established before any other step is taken. But what is a *prima facie* case? I ask. Is there established in regard to two possible offences that might have been committed in this particular context? Whether forgery was committed by some elements—is that not now clearly established? The hon. Members of Parliament have said, one after the other that they did not append their signature to any such letter. Now, if that is so, then the plain fact of forgery has been established as also the fact that somebody had organized the forgery Is that not a *prima facie* case? If that is a *prima facie* case, what are you doing about it? Who organized the forgery? It is not a matter which is coming out of my head It is on the record of Parliament; they had said the same thing to the CBI. These hon. Members of Parliament had said earlier to the CBI what they told us the other day. So, the point is clearly established that these hon. Members have disowned their signatures. And, as they have disowned their signatures, it means that there was a conspiracy to forge their signatures If that is so, that must be gone into. The hon'ble Minister of Commerce had also said to the Rajya Sabha to the same effect they had disowned their signatures.

Now, I come to the other part of the offence. Who forged the signatures?

MR. CHAIRMAN: Please try to conclude.

SHRI SHYAMANANDAN MISHRA: You are feeling uncomfortable?

Now, who could be interested in forging? So the question is whether the interest could be at the Ministerial level—and who could exculpate the ministerial level in this matter so easily, whether the interest in the forgery was evinced at the administrative level; whether the interest was at the level of the parties who wanted to get their licences cleared and, finally, whether the interest could be at the level of the hon'ble M Ps

MR CHAIRMAN The hon Member's time is up

SHRI SHYAMNANDAN MISHRA: Mr Chairman, with regard to both these offences, I have still to go over and cover a great deal of ground

These two offences have already been established *prima facie* about forgery and about the interest in the forgery and they are required to be gone into.

When the Mudgal case was being debated in this House, I happened to be a Member of the House at that time and I recollect how the hon'ble Member, Mr Frank Anthony had pleaded at that time that there must be a *prima facie case* before the matter was referred to an *ad hoc* Committee of Members of Parliament And our great Prime Minister, Mr Pandit Jawaharlal Nehru, said in effect 'Whatever data we have, just establishes a *prima facie case*' So, it is for the House to judge whether a *prima facie* case is there or not So, even that point at that time was effectively met and the House said, 'Go ahead with the appointment of a committee in this matter'

A great deal of stress has been laid by the Government the executive, on the CBI—it can play an adequate role in this matter. That creates a lot of suspicion about the role of the CBI What, after all, is the reason that you are laying so much of stress on the CBI going ahead with this matter? You trust the CBI more than a Committee of Members of Parliament? That is your scale of values (*Interruptions*) So far as we are concerned, we do not, for a moment suggest that there could not be certain agencies employed for the purposes of investigation Certain agencies could certainly be employed but the whole question is under whose aegis and auspices? If the investigation is conducted under the auspices of the present executive we are having doubts that they would be able to create an atmosphere in which the CBI would be able to function objectively or impartially in the matter

After all the auspices under which the investigation is conducted makes a world of a difference When there is a corrupt minister, the entire department functions in a corrupt and inefficient way but when there is a clean and honest minister the entire department functions in a different way

It has been suggested that if there is a parliamentary probe that parliamentary probe would bar prosecution in a court It has never been suggested that there should be no prosecution. What happened in the case of Mr Nixon? There the matter was processed at the parliamentary level in the first instance Later, the matter was to be taken to the court This morning's news is that the U S President has granted him pardon because he did not want Mr Nixon to be tortured in a court of law So, there the court of law came later In the case of the American watergate, the matter was first processed at the parliamentary level

सभापति महोदय : आप 23 मिनट ले चुके है ।

श्री श्यामनन्दन मिश्रा : इससे घबराने से काम नही चलेगा ।

श्री शंकर दयाल सिंह सभापति महोदय, इस बहस के लिये चार घंटे का समय निर्धारित किया गया था, सवा चार बजे बहस आरम्भ हुई थी और अब सवा आठ बज चुके हैं, मैं जानना चाहता हूं सदन की कार्यवाही इस विषय पर कब तक चलेगी। आप सदन से पूछ लीजिए तब सदन का समय बढ़ाइये।

सभापति महोदय : इतने इंटरप्शन्स आप सहबान ने किये हैं, अगर वह नहीं किये होते तो मेरा सवाल है मिश्रा जी दो मिनट पहले ही अपनी स्पीच खत्म कर देते।

श्री शंकर दयाल सिंह : सवा आठ बजे इस बहस को समाप्त होना था, चार घंटे का समय इसके लिए निर्धारित था, अब मैं जानना चाहता हूं सदन की कार्यवाही इस विषय पर कब तक चलेगी ?

सभापति महोदय : मैं ने खुद आप से कहा था कि चार घंटे इसके लिए थे, 45 मिनट एडजस्टमेन्ट के वास्ते हैं, वह मैं ने नहीं कहा था इस वास्ते 9 बजे तक इसको जरूर खत्म कर देना चाहिए

श्री मधु लिमये : दस बज तक समय बढ़ा दिया जाये। (व्यवधान)

SHRI SHYAMNANDAN MISHRA: I have been always interrupted. I know that my observations are very inconvenient to them.

An impression has been created that the C.B.I. has not been allowed to go ahead in this matter and that they have been stopped and prevented from going to the logical end. Otherwise, how do you explain that for the last five months, the C.B.I. could produce the result of only verifying the signatures? This is the only precious result that the C.B.I. has been able to produce. Where they sucking their thumb?

MR. CHAIRMAN: Mr. Mishra, you have taken twentyfive minutes. Kindly conclude.

SHRI SHYAMNANDAN MISHRA: Mr. Chairman, Sir, this is a very complicated matter. One cannot make broad remarks and go away.

They have been prevented. Otherwise, the CBI would not have produced only a mouse of the result which it has been able to produce during the course of the five months.

When they came to know about this Blitz report, it contained a serious allegation that one hon'ble Member of Parliament had received a bribe of Rs. 150 thousand, I put this question squarely to the hon. gentleman on the other side—this question was evaded—What did the hon'ble Minister do in this matter?

When there was such a definite allegation about it, what did he do with it? Later it came to be established that the hon. Member had also admitted that it was his signature. Then what step did he take? That was precisely the question which seemed to have been evaded. So, I would like them to tell us why should we believe the C.B.I. in the kind of conditions in which you ask them to function? It has been rightly pointed out by my hon. friend, Shri Vajpayee, that when I put this question to the head of the C.B.I. in the Select Committee on Foreign Contributions (Regulation) Bill in this very building as to whether he could not proceed against the Minister—the question was related to something I had at the back of my mind—the answer was 'No'. The question was not without significance and I was told clearly that CBI need not go into the conduct of the Minister.

In this case it is being said that a criminal offence, if any, has to be prosecuted in a court of law. Is it altogether a criminal offence? It is an amalgam of both. It is a misdemeanour on the part of an hon'ble Member and definitely on the part of

the Minister concerned too because the Minister failed to pose to himself the right questions when he was confronted with the letter of recommendation. Why this letter comes to me from MPs of far off. Why did not the Members from Pondicherry or Karnataka or Tamil Nadu recommend the case of these gentlemen? Did the hon. Minister or Ministers pose to themselves that there was something fishy on the face of it. So, it would seem that they have been working hand ingloves with of the Members who have committed this misdemeanour.

Therefore, it is not a pure undiluted case of criminal offence. It is an amalgam of both and the Parliamentary Committee also could have separated the two aspects and wherever prosecution was required to be launched in the court of law, the Parliamentary Committee would certainly have gone in for it.

Finally, my humble submission to you is to consider whether Government in this matter is acting honourably and justly, whether it is acting with a certain degree of political prudence. About political prudence, of course, they are the masters but the House is entitled to know whether this Government which has been given the function to run the country of 600 million is acting honourably and justly in this matter and you must consider whether this Government which has destroyed the probity of the administration and political system is not out to destory the probity of the Parliamentary system as well. We are deeply concerned with this aspect of this matter—the probity of the Parliamentary system which they now seem out to destory. Therefore, my submission would be that the ruling party must agree to heed the voice of reason and should not try to vote this motion out. This is a comprehensive motion and will try to do justice to all concerned if a committee is appointed. They must not hesitate to agree to the constitution of the Committee.

SHRI B. R. BHAGAT (Shahabad): Mr. Chairman, Sir, after hearing the debate for about four hours I come to this irrestible conclusion that the hon'ble mover, Shri Vajpayee, and other Opposition Members have used this occasion for framing out a catalogue of charges against the Government. It has been their star performance in the past and even today. In his speech, Mr. Vajpayee said that he is worried about the decline in moral values. My esteeped friend, Mr. S. N. Mishra said that the question of the whole future of parliamentary functioning is involved and that there is no party consideration. I would like to join issue with them on this matter, because it has been said in this House and outside, and particularly my friend, Mr. Hiren Mukerjee, has been saying there is a decline of parliamentary system. But, in matters like this, when you, leaving the most urgent problems, national problems of the country, use certain occasions, either public discontent or certain other trival issues, to beat the Government and bring charges with a view to lowering the prestige of the Government, either, wholly or individually, it shows your distrust in the whole system, in the functioning of the Government, in the various instruments which that system has created, without which no system can be effective When you basically distrust the system, destroy the instruments, I think it is the best way to bring down the standards of parliamentary functioning. Sir, parliamentary system is the highest form of moral system, because it is based on the trust of the people. It functions in an open manner. Now, a reference has been made about Watergate. The main reason why the higest executive in that land had to go was, he tried to subvert this system, he tried to subvert the Constitution. I do not lay this charge against the Opposition. But, inadvertently, because of raising certain false issues, because of raising certain irrelevant issues, they are bringing down the standards of our functioning and they are contributing to, what Prof. Mukerjee calls, the decline of the parliamen-

[Shri B. R. Bhagat]

tary system. When I say this, I say this because of my past 24 or 25 years of experience and the privilege of continued membership of this House. I say, every fibre in me is full of the highest standards of dignity and decorum about this House, and therefore, when I see certain things which contribute to the declining of this system, it hurts me and I think it hurts every damocrat in this country.

In 1971, elections were held and what was said at that time? Because, people voted in a massive manner for our party, it was said that we won because of the invisible ink. It was said that we rigged the elections and that we used official patronage. I have the experience I was then a Cabinet Minister, having a lot of power. But, in my constituency, I know that because I represented the weaker sections, because I represented the poorer sections, in 50 of the booths, votes were captured. I could no do anything. In my own district, a national leader, a man of national stature. Shri Jagjivan Ram, was contesting. In his constituency, booths were captured. By whom? By the affluent sections, by the dominant sections and even though we were powerful people, we could not do anything. Therefore, it is not the Government, it is not the power of the Government that is rigging ....

SHRI PILOO MODY: Who did it?

SHRI B. R. BHAGAT: Your friends, the landlords and the affluent sections. The danger to our Government is from the vested interests, in this country. They say, it is because of invisible ink. What happened in the UP elections? We got 32 per cent of the votes. But, all the parties said that we rigged the elections.—But, the position is, the elections. But, the position is, the Opposition has failed to provide the alternative, they have failed to raise national issues on the national sphere and they have failed to provide the ed in this Parliament—this is an national alternatives. They have fail-- important point—to create a consciousness in the country. Because they have not been able to do anything at the policy level, they are induging in mudslinging and character assasination. They have started from the top because they think that by attacking the Prime Minister and the leader of the country, they will create distrust in the Government. Similarly, about the CBI, oftentimes Members come and say: sent it to the CBI. Why? Because it is an instrument of investigation and that is the way parliamentary system works. Who gives facts? It is the Government which has the agencies; they give the facts. If any hon. Members has defferent facts, they should be given to the House so that the House may judge them. But the point is that the finality about any facts after investigation is that of the Government. There is no point in confusing issues. Mr. Vajpayee gave a catalogue of charges and he himself says that it reads like a detective novel; he says they are all true. Whether it is true or not, that is a different matter Whatever Mr. Vajpayee or other Members have said does not justify in any manner, even remotely, a parliamentary proble. A parliamentary probe is beset with various difficulties. In our 25 years of history, we had only one instance of Mudgal case. That did not involve any criminal offence or any subversive or senret act. It was a *bonafide* transaction. A resolution was there money passed through cheques. The director Mr Nandkarni reported to the Government that a resolution was there. After investigation it came here. The stage is important. The facts were all known: they were not contested even by Mr. Mudgal. The House decided it was a specific issue. This case here is not like that. It is alleged that a representation has been made by Members of Parliament. In the firt Lok Sabha threr is a ruling by Speaker Mavalankar on how Members can represent individual case or collective cases or cases from their constituency. There is a clearly laid down procedure and any Member whether from the Opposition or the

ruling party can represent a case to the Ministers. There is nothing wrong about it. The point is that while doing so, the conduct should not be unbecoming of a member, it should not be done for personal gain. Now that is a point to be looked into Twenty members out of 21 have said that their signatures were forged It is asked, why did they not raise it if an injustice had been done to them? The hon Members can say that they should raise that issue

Is that a point against members whose signatures have been forged? When this matter was first raised in the weekly, it was the Congress Members who raised it in the other House. We do not treat it as a party issue I am sorry opposition members have brought in political considerations In this atmosphere, any impartial independent enquiry is not possible Even when an enquiry had to be conducted into the activities of a member of the Cabinet, it was conducted under the Official Secrets Enquiry Act The same was done in the cases where some Chief Ministers were involved. Never a parliamentary probe was conducted because it was not considered feasible. This has been our experience

What is the experience of U K which has a longer experience of parliamentary system? The Royal Commission on Tribunals of Enquiry said that for almost 300 years from the middle of the 17th century until 1921, whenever any matters of public disquiet about alleged misconduct of ministers etc. were raised, they used to appoint a parliamentary select committee to go into it, but they have reached the conclusion that such a committee of enquiry had no claim to impartiality. It was actuated solely by party political motives. So, this is what is going to happen here also if you appoint a parliamentary committee. It cannot be impartial and independent. It will be governed by party political motives, which is the characteristic defect of such committees enquiring into matters of this kind. So, in 1921, the British Parliament gave up this practice. There was a very interesting case referred to by Mr. Das Munshi also. In what was called the Marconi Scandal, a tender was accepted by Government and some irregularities were found in that So, a committee was appointed. The voting in that committee went exactly along party lines The Conservative majority exonerated the ministers The minority said, the ministers were guilty When it came to the House, the same thing was repeated So, this is exactly what will happen here also if a parliamentary committee was adopted A reference was made o the Watergate scandal and the judiciary committee in the US Their system is different from ours, although both are democratic I happened to be there when their judiciary committee went into it. I saw the strength of public opinion there. But in US the parliamentary committee functions in a different way. The voting curbs across party lines. There they do not function on party lines as it takes place here Even in the Judicial Committee as many as 11 Republican Members voted for the motion

SHRI ATAL BIHARI VAJPAYEE: We are also in the Privileges Committee we do not go by the party lines

SHRI B R. BHAGAT In the United States they make this departure, which it is very important that we should take note of. Even though a parliamentary committee may be functioning better in the United States, there is the famous case of the assassination of President Kennedy which was not referred to a Congressional Committee but an outside commission, the Warren Commission, because it was a highly political matter. So, even in the United States they made a departure.

I welcome the opposition members saying that this is not a party question. But the whole ethos of their political functioning, the way they

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have been functioning, shows the utter frustration of the opposition members. Because they find that they are not able to unseat us, therefore, instead of evolving an alternative policy or system, they are trying to bring motions like this.

SHRI SHYAMNANDAN MISHRA: I ask you with folded hands, because you were also a Minister in that department, why did you not grant licences to these paragons of virtue?

SHRI B. R. BHAGAT: I do not know what I did five years ago. For that I have to depend on the hon. Minister. So, this is again ignorance of parliamentary practice. The Minister today is the custodian of not only himself but all his predecessors in office.

So, let us not depart from the parliamentary practice. I say that in the present climate let us build some conventions, not on party matters but on national issues, on issues of war and peace. Today when the whole country is faced with a serious economic crisis, let us try to strengthen the moral values, of which the hon. Member speaks, let us strengthen the parliamentary institutions, instead of bringing such calumny of charges, or character assassination or catalogue of charges. Let us have a national platform in which all these national issues could be dealt with. That is how we can strengthen the Parliament, or the moral values, or the political values in the country.

Of course when I say that I do not mean that what they have said is not worth probing into. It is, and it will be. But, let them not mistrust the Government. They think the Government is shielding somebody. There are ways of doing it. We have the Commissions of Inquiry Act. The hon. Member was saying that he asked the Director of the CBI in a Committee whether he can deal with the question of a Minister. Well, if I had been in that Committee, I would have immediately asked him whether he can deal with an opposition Member of Parliament. I am sure the answer would have been "No"

SHRI SHYAMNANDAN MISHRA: What happened in Bihar? (*Interruptions*)

It is the Corruption Bureau of India.... (*Interruptions*)

SHRI B. R. BHAGAT: I do not mean to say that any Minister or Member of Parliament is above the law. I am not going to say that. It is a highly political matter when you deal with a Minister If some irregularities have been committed by a Minister or a Member of Parliament belonging to the ruling Party or a Member of Parliament belonging to the Opposition, it cannot be left to an officer. It has to be decided at the political level. If it is a case of Minister, the matter is brought to the notice of the Prime Minister. She has to decide whether her colleague has done something wrong and if she finds that he has committed something wrong, the Minister goes away Similarly, in the case of others, it has to be decided at the political level (*Interruptions*) I am trying to clear the mess that you have created The CBI man has honestly said that he cannot deal with the case of a Minister. (*Interruptions*) That is the difference between democracy and despotism. Our instruments are correct. The support of the Opposition is needed to strengthen the CBI so that, whoever commits an offence, whoever it may be, he may be dealt with under the law of the land. And, in this matter, as has been pointed out, the Prime Minister has clearly said that the CBI is enquiring into this matter. Action by Parliament is not foreclosed. After the inquiry report comes, if there has been a breach of privilege, if there has been a misconduct by any member, if there has been a contempt of the House—

certainly, forging the signature of a member is a contempt of the House—and if these facts are established, at that stage, the House can take a decision so as to protect the dignity and honour of the House, so as to deal with even a member or any other person who had tried to invade on the privillege of the House, whose conduct was derogatory. Therefore, my appeal is that this is not a party issue, this is not an issue in which a Parliamentary probe can be undertaken now because it cannot lead to a fair and impartial inquiry. The whole political atmosphere is different. Therefore, we do not add to the dignity of the House, we do not add to the privilege of the members, we do not strengthen the roots of Parliamentary system, by demanding such a probe because it will not be possible to deal with the situation at this stage in the light of the facts that I have stated.

PROF. MADHU DANDAVATE (Rajapur): Mr. Chairman, Sir, when I participate in this debate, I do it more in pain and shame, than in anger because, when many of us go out, we find for the first time that the entire Parliament is completely denigrated. Irrespective of the fact whether one belongs to the ruling Party or to the Opposition, people outside have started feeling that the only sacred instrument of Parliamentary democracy that existed in this country is also vitiated, that instrument is also denigrated. Let me make it explicity clear at the very outset that while I express my views in support of the motion that has been moved by Shri Atal Bihari Vajpayee, I am not interested in carrying on character assassination of individuals. None of us is interested in character assassination. But, we are interested in cleansing the corrupt system in this country. If we have raised the issue regarding the forging of signatures and the licensing policies, we have done it not merely on ethical or moral grounds but because as a result of this particular malpractice, on the one hand, the instrument of parliamentary democracy and the instrument of Parliament is being undermined and on the other hand, we find that if the present corrupt system continues as it is, if the malpractices are tolerated, if there is no probe by a parliamentary committee, in that case, there are disastrous economic consequences of this corrupt system and that is the reason why we are discussing and debating this issue very seriously.

When my hon. colleague, Shri Madhu Limaye and myself repeatedly brought to the notice of the House, the lapses on the part of the Government in not submitting certain reports, it was not merely a procedural wrangle but because the non-submission of those reports has economic consequences and as a result of that, there are distortions in the prices. As a result of these economic consequences, we have made this issue and it is only from this perspective, to defend the economy of the country, to remove the distortions in our economy that we are pressing this issue.

It is not merely a technical problem as to who has forged the signatures and who are guilty of mal-practices, but we have to view this entire problem in the context of a series of mal-practices that are taking place in the country.

20.52 hrs.

[MR. SPEAKER *in the Chair*]

I do not agree that this particular issue is restricted merely to forging of signatures. The problem is far wide. It is an integral part of the wider conspiracy that is going on in the country. It is not merely this scandal that is there. It is part and parcel of a series of scandals that have gone on in the country. Not only there is the Pondicherry licence scandal, there is the Karnataka Export House scandal, there are the barter deals scandal of STC and MMTC involving millions of rupees and the diversion of steel, cement and other controlled items which have also resulted in a number of malpractices....

SHRI PILOO MODY: There is a conspiracy going on even now.

PROF. MADHU DANDAVATE: My friend, Shri Madhu Limaye had brought before this House four important documents. (1) He has pointed out to the House that there is an engineering unit in Punjab which managed to secure imported wool and polyester fibre though these raw materials were not required by the unit.

(2) He has brought to the notice of this House that two small scale industrial units acquired licences of a very high value by taking undue advantage of nomination facilities.

(3) He had brought to the notice of the House that an eligible export house acquired licences of a high value and used them for obtaining stainless steel sheets.

(4) Fourthly, he has pointed out that an exporter indulged in over-invoicing in order to obtain a higher entitlement for sensitive items.

These are some of the malpractices he has mentioned....

SHRI P. G. MAVALANKAR: On a point of order, Sir. Prof. Madhu Dandavate has just now, while referring to the general question of licensing, referred to as many as four cases and he has referred to four documents. I recollect very vividly that earlier in the House, from this side, my friend, Shri Madhu Limaye had referred to the same documents.

Sir, I would therefore like you to direct Shri Limaye to lay those documents* on the Table of the House. Under Rule 368 these must be made available to this House because Members are referring to the documents and we do not know what the documents are. I am referring to Rule 368. You will please direct Shri Limaye to lay them on the Table of the House.

MR. SPEAKER: I cannot agree with this unless I see them.

PROF. MADHU DANDAVATE: Sir, as I was pointing out to the House, this is not merely an isolated scandal. Unfortunately, both inside the country and also outside the image of our entire system has been denigraded to a very great extent. I just now made a cursory reference to four important cases in which abuse of the powers of licensing had been indicated. Those papers have already been laid on the Table of the House. I wish to point out to this House, while we discuss this scandal regarding the licensing policies as also the misuse of powers, we shall also remember that in countries outside to-day we find that there is denigration of the image of our entire system. We find for example that the agencies like the S.T.C. are suspect in the eyes of a number of countries. The MMTC officials in various countries have been declared *persona non-grata*. Some of the embassy staff is suspected of smuggling. That is the reputation that we have built up and if the debate in this House regarding the licensing scandal also goes abroad with all the details, the prestige of the country will go down and it will demoralise those who sympathise with our country.

The hon. Minister, Prof. Chattopadhyaya had brought before the House a certain written statement. For the first time I came across a new definition for the old concepts. He tried to explain to us what was the meaning of *'ex gratia'* licences. According to the dictionary meaning, *'ex gratia'* is something that is given as a favour; something that is given as a gratitude, something that is given as a grace. For the first time I hear that the concept *of ex gratia* is linked up with justice and equity. It is a strange paradox that a concept *of ex-gratia* is being linked up with justice and parity only to cover up the lapses on the part of the Government. In the course of the debate, it has been ex-

*The documents were laid on the Table. [Placed in Library. See No. LT-8419/74]

plicitly made clear that Shri Tul Mohan Ram had admitted before the C.B.I. of having signed the memorandum.

I would like to know from the hon. Minister whether he has admitted only regarding his signature or whether he has also admitted before the C.B.I. that he had received a certain amount. If he has admitted that, then I would like the Minister to tell us from which particular source he has received this amount Will he throw some light on that?

There is another important aspect of it to which I would like to draw the attention of the House It seems from the discussion and from various informations that have come before the House that Shri Tul Mohan Ram is a signatory not only to one memorandum but also he is a signatory to another memorandum Here Shri Tul Mohan Ram is a signatory along with others. This itself establishes a *prima facie* case and, if a *prima facie* case is established in that case, it is better that we allow the entire matter to be investigated by the Committee of Parliament

It was revealed by an hon Member that as far as U.K. was concerned, this particular *modus operandi* or a probe by a Parliamentary Committee has completely failed He has given not a complete truth but only a half-truth. As far as U.K.'s experience regarding parliamentary probe is concerned, politically motivated decisions have been arrived at But, at the same time, when he has tried to quote one aspect of democracy in U.K he has forgotten to quote the other important aspect. In the U.K. we have found out that when a *prima facie* case has been established against a Minister in the House of Commons, resignation is not demanded but on their own, *suomoto* the Ministers in U.K. tender their resignations. I wish that when the ruling party quotes certain precedents from the U.K's experiments, they should also quote the precedents in which the ministers do not remain stiff in their chair. Here people have expressed their vociferous feeling against the malpractices, but still the Ministers remain stiff. As regards the impartial character of the Parliamentary Committee, we are proud in this Parliament that our Parliamentary Committees have a glorious tradition We have a Committee called the Committee on Welfare of Scheduled Castes and Scheduled Tribes If you go through the proceedings, of this Committee, you will find that whenever cases of atrocities against harijans and adivasis are taken up, irrespective of whether those who have committed the atrocities are the supporters of the Opposition or the supporters of the Congress, they are discussed cutting across the party lines This Committee on the Welfare of Scheduled Castes and Scheduled Tribes has developed a procedure which transcends all political considerations

21 00 hrs.

We have the Privileges Committee and it has been the experience of the Members of the Privileges Committee whether they belong to the Opposition or the Ruling party that on a number of issues they had risen above the party-loyalties and party considerations There fore, the tradition in all the Parliamentary Committee has been that we had taken an attitude which is unbiased and impartial The demand for Parliamentary probe should not therefore be rejected on grounds of fear and partisan attitude

I warn this House that if you reject the demand for a Parliamentary probe then the out-moded devices of impeachments which prevailed till the nineteenth century in U.K would be revived. I will conclude by quoting from May's Parliamentary Practice (17th Edition), page 39:

> "In impeachments, the Commons, as a great representative inquest of nation, first find the crime, and then as prosecutors, support their charge before Lords, exercising at once the

[Prof. Madhu Dandavate]

functions of a High Court of justice and of a jury, try and also adjudicate upon the charges preferred.

Impeachment by the Commons, for high crimes and mis-demeanours beyond the reach of the law, or which no other authority in the State will prosecute, might still be regarded as an ultimate safeguard of public liberty, though it has not been empolyed since the beginning of the nineteenth centuary.

Impeachments have directed in particular against Minister of the crown, but the growth of the doctrine of collective cabinet responsibility, and of the resignation of the Cabiret following a successful vote of censure, against a minister, resulted in the decline of impeachments in modern times."

In India by refusing parliamentary probe of such a serious scandal shall we introduce outdated concepts like impeachment by Parliament, a device not brough into effect after the beginning of the nineteenth century. But if you do not want to adopt those outmoded methods it is better the demand for a Parliamentary probe should be accepted.

I want you to look at the history of corruption in different parts of the world and you will find that where Government refused to have a probe into corruption in a number of countries that led to revolutions. The French revolution was a product of ramfant corruption. In Soviet Rusia again it was the corruption of Czar which resulted in revolution. Likewise in Chiang-ké-Sheik's China full of corruption, there was unprecedented revolution. In Sockarno's Indonesia there was an upheaval against the corrupt regime. If the present ruling clique refuses a probe they will also go the same way as of Soekarno and Chiang-kai-Sheik.

I will conclude by appealing not to the ruling party, not to the opposition Members but to the conscience of this House, which I hope is not yet nationalised, to support the demand for parliamentary probe so that the honour of our Parliament as an instrument of democracy is vindicated. Parliamentary democracy with all its failings and shortcomings, among all the existing political systems, is the best because it gives expression to the spirit of man, his hopes and aspirations.

In that spirit I again appeal to the conscience of the House to adopt Shri Vajpayee's motion unanimously so that we go outside this House with a shining face of our Parliament.

SHRI M. RAM GOPAL REDDY (Nizamabad). Sir, on a point of order. Four hours have been allotted for this. We have exceeded this limit. We do not know up to what time, we have to go on.

MR. SPEAKER This is not a point of order. Mr. Ram Gopal Reddy, you could have otherwise asked. Why do you use a point of order for this purpose? Mr Bhagat

SHRI H K L. BHAGAT (East Delhi) Mr Speaker, Sir, not even tonnes of strong words and sentimental outbursts can make a weak case a strong case. After listening to the speeches made by the various Members of the opposition today on this subject, I found, they were diverting from the subject, they were digressing from the subject and they were trying to use this motion virtually as some kind of a No Confidence Motion, not really concentrating on the issues which they have raised through this motion. Mr. Jyotirmoy Bosu very clearly said that this motion was some kind of a No Confidence Motion. Sir, the very fact that they have digressed they have diverted from the motion, bringing in all kinds of other things, repeating things which they have said earlier, shows that the case which they have brought through this motion is a weak case, and as I said, no amount

of strong words, not even tonnes of strong words, would convert a weak case into a strong case. Just now, Prof. Madhu Dandavate was very sentimental in reminding us of the UK traditions of parliamentary democracy and making an impassioned appeal to us I believe he is a very sincere man, though somewhat hyper emotional I would like to ask him this question I am not talking of the 18th or 17th or 16th Century I am talking of the 20th Century I would like to ask him or Mr Shyamnandan Mishra or the laborious Mr Madhu Limaye, who always goes and searches one thing or the other, may be relevant, may be irrelevant sometimes he is irrelevant I would like to ask them how is it that after searching through the *May's Parliamentary Practice*, and after searching through the various debates of the House of Commons, they have not been able to—I challenge—find out a single case where the Mother of Parliament, the British Parliament has ever entrusted the investigation of any criminal case to any Committee of the House? I would like to know that Any single case? I challenge them They cannot Let them quote any single case where a case of this type a case of this nature has been left to a Parliamentary Committee to investigate Now I come to our Parliament I know you are not referring to that case

SHRI MADHU LIMAYE What about the *Mudgal case*?

SHRI H K L BHAGAT I am coming to that case You have referred to it your friends have referred to it, very freely I am going to refer to it more Shri Shyamnandan Mishra hit in regard to what he described as *Profumo case* Was any suggestion of involvement of any offence made in that case? No Not at all What is it? The difficulty with the opposition is they want to make all kinds of charges all kinds of allegations all kinds of insinuations with all the inferences But, they do not want to stick to it and face the consequences in the debate or discussion in this House Now, Sir, what have they said? They have tried to put before the House—I take them by their words—that a forgery has been committed, document has been used, that there was a conspiracy, that the whole thing was fabricated, that money has been taken that money has been passed at various levels and that it was a big conspiracy to do this and that and so on The Opposition Members have shown an astonishing ignorance of law, particularly criminal law They make wild allegations, they have not produced *any prima facie* evidence in support of them. The only relevant evidence and important evidence is that 20 hon Members of this Parliament have said that their signatures were forged by somebody My friends say that a parliamentary committee should probe into it I have great respect for Shri Vajpayee and I want to know from him He has shown absolute lack of knowledge even elementary knowledge of criminal law Supposing somebody is charged with commiting forgery, A or B You have got to take their signatures compare his admitted signatures Even the opinion of the hand-writing expert is not conclusive. Courts do not treat them as conclusive If anybody can be convicted of the offence of forgery it is only the court of law which can do it My friend Goswami said that prosecutors should not be judges and witneses, both It is not a case of mere prosecutors it is a case of persecutors they are trying to become judges

Let us assume for a moment that Mr Vajpayee becomes the Chief Justice or the chief presiding officer of this committee I am going to ask him some inconvenient questions. Suppose you say that so and so is guilty of forgery Suppose that man goes to a court of law which is the competent authority to say whether somebody has committed forgery or not and that the court says No, what happens? You have not raised only the question of dignity of the House I will come to the question of privilege and I shall refer to the Mudgal case in a more detailed manner. The facts

Shri H. K. L. Bhagat.—Contd.

are inter-dependent. Whether the conduct of any person will lower the dignity of the House or whether he has committed a breach of privilege or not, whether he has committed an offence or not is all dependent on the ascertainment of certain facts. Whether somebody has forged and if so who has forged, whether somebody has taken money or not,—who will decide this and how are these things to be decided? They will have to depend upon the aid of some agency. We sit in the Privileges Committee. What do we do? Even there we want facts to be ascertained; we take the help of others, either it is the police or some other agency. Even if such a committee were to be constituted they will have to go to the police or the CBI to go and ascertain facts. I do not remember who said it but it is probably Shri Shyamnandan Mishra—If I am wrong, I will apologise. Leaving aside what was said in the House, I was surprised some newspaper editorials also were saying that the CBI can investigate under the supervision of Parliamentary Committee That again shows an astonishing ignorance of law, whether they are newspaper editorials or Members of this House. Because nobody can interefere with the investigations. Once the case is registered, it would be absolutely illegal to do so Parliament can change law but parliamentary committee cannot influence the course of investigation in one way or the other. Suppose a Parliamentary Committee is there with Mr. Vajpayee sitting on one side and Priya Ranjan Das Munsi sitting on the other side, what direction can it give to the CBI? There is an amendment to suspend the investigation by the CBI. as if this House has the power to do it! This House can change the law, but even Parliament is governed by the law it makes. The Cr. PC.. makes it clear that once a case is registered, it is only the court which can file it. It can be withdrawn only with the permission of the court. This simple thing my hon. friends do not understand.

Mr. Vajpayee says, he has no faith in the CBI. In this very House several times the opposition members have demanded investigation by the CBI in so many cases. But now CBI has become particularly inconvenient for Mr. Vajpayee, after they started investigating the great corruption in the Delhi Municipal Corporation I have great respect for Mr. Balraj Khanna and I do not mean any disrespect to the dead. But I have some very inconvenient questions for Mr. Vajpayee to answer. How is it that he committed suicide and why did he choose his party building to do it? There are many wishpers around Even committing suicide is an offence I do not know whether the police or CBI have taken cognizance of it, though I am not asking for it. CBI may or may not have investigated a case properly but to condemn CBI outright and say that we have no faith in it is not fair to them and to the country.

Mr Vajpayee quoted only one part of the Mudgal case. He said, Pandit Jawaharlal Nehru was asked, "why not have a probe by the Congress Party?" and he replied "No; that will not be desirable" I am happy Mr. Vajpayee is quoting Shri Jawharlal Nehru at least after his death. He has become wiser. But what is the relevance of his quotation? Nobody has asked for a probe by the Congress Party in this case. Then, in the Mudgal case, it was a precise definite motion against one definite person and there was no criminal offence involved. Thirdly, the allegation was that he entered into an arrangement. But Mr. Mudgal said that the arrangement was by the Mudgal Publications. The committee said, whether it was Mr. Mudgal or Mudgal publications, he was supposed to keep his conduct above board. But the facts were admitted. The facts were ascertained by Shri Nehru by writing letters to Mr. Muwgal and getting his replies. Notices of the

motion for enquiry was given to Mr. Mudgal and he spoke in the House. Now, in this case, there is no specific name mentioned in the motion. They say all kinds of things. They want a motion to be adopted in this House without giving any opportunity to anybody, without the ascertainment of facts by anybody.

Then, Shri Madhu Dandavate—he is also a lawyer, I believe; I do not know; he is a Professor in any case; I believe he knows a little bit of law —I am surprised that he has asked in a motion that the Minister must resign, without hearing him. The Mudgal case stands on a different footing because there is no criminal offence there.

The tragedy is that one can understand ignorance. Ignorance is very dangerous, but where ignorance and malice are combined, it becomes, well, I do not know what to say. The trouble with the opposition is, at least on this occasion, they have shown complete ignorance. With that malice is combined.

I find that Shri Jyotirmoy Bosu has gone away. He asked why the Prime Minister has not come to the House and why she has not spoken. The Prime Minister is a responsible leader of the nation. She has got to weigh every word before she speaks. She has to ascertain facts before she speaks. She is not like this small, mini, fake addition of fictitious James Bond.

PROF. MADHU DANDAVATE: Mini and small mean the same thing.

SHRI H K. L. BHAGAT: He says that mini and small mean the same thing. The difference between mini and small is the difference between himself and Shri Jyotirmoy Bosu.

You can act like a drain inspector and spread rumours. We cannot help it. Shri Vajpayee described this as the Watergate of India. My respected friend and his party has been influenced by the perpetrators of Watergate, but not those who stood against him. Shri Vajpayee was shaking in his legs when he said that the Bangladesh refugees will never go back. Then he had in mind the threat of Mr. Nixon because he was afraid of him We never bothered about it because we are not afraid of him. You are thinking of a fictitious Watergate. But you will never be able to deceive the people. You are only deceiving yourself and nobody. Ultimately, you will find to your disadvantage that these theatricals, these antics, these dramatics do not help the opposition. The question of question is why during all these 25 years we did not have an alternative in this country. It is because you behaved in this manner. You have not behaved in a responsible manner.

Lastly, as somebody was saying, it is very sad day for this country that we find that the opposition is not a vigilant instrument of defending democracy, upholding democracy. It is this opposition which by its irresponsible theatrical behaviour is trying to tarnish the image of democratic institutions in this country You are responsible for this.

Mr. friend has expressed concern for "20 innocent Members of Parliament". They are innocent. Shri Vajpayee gave a very curious argument. He said that these 20 members have denied their signature, therefore there must be something in it. He is a very great political leader I hope he will not mind my personal remark that he is a great political actor also, a political leader a great hero. I have never heard more queer logic—because they have denied their signature, therefore, there must be something in it. They are innocent, but the sympathy of Shri Vajpayee for them is not genuine. I think, the very fact that they have themselves diverted from the motion shows that their motion is weak, without any precedent, without any cogent arguments, and, therefore, it deserves to be rejected.

श्री जगेश्वर मिश्र (इलाहाबाद) : अध्यक्ष महोदय, सबसे पहले तो मैं बता दूं कि सत्तारूढ़ दल के लोग इस पूरी बहस को जिला कचहरी की बहस के स्टैंडर्ड पर ले जा कर खड़ा करना चाहते हैं और सी० आर० पी० सी० का सहारा ले कर सार्वजनिक जीवन में जिस तरह से भ्रष्टाचार व्याप्त है, गन्दगी आई है और धब्बा आया है उस को छिपाने की कोशिश कर रहे है । असल बहस है हस्ताक्षरों के बारे में, 21 इस सदन के सदस्य है जिन लोगों के हस्ताक्षर को लेकर यह बहस है कि वे हस्ताक्षर जाली है या जनुइन हैं । वे हस्ताक्षर पैसा लेकर किए गए है या कोई भ्रष्टाचार का काम इन हस्ताक्षरों के पीछे किया गया है, बहस यह है और देश भर में इस की चर्चा है । इस इस को लेकर दूसरा सवाल एक यह छिड़ेगा कि जिन लोगो को लाइसेंस दिए गए है वे लोग उस के हकदार है या नहीं। यह विवाद बहुत देर से चल रहा है इस लिए इस को मैं छेड़ना नहीं चाहता हूं । लेकिन मैं यह जरूर जानना चाहता हूं कि उस में जो कर्नाटक वाली कम्पनी है तुलसायन कम्पनी क्या उस कम्पनी का हिस्सा कहीं न कहीं जा करके मारुती कम्पनी में भी पड़ता है ? यह आप सोचिए । यह तो प्रधान मन्त्री से रिश्ता होता है । उस के बाद रेल मंत्री साहब पर आता हूं । रेल मंत्री जिन दिनों विदेश व्यापार मंत्री थे इन का कहना है कि इन के कार्यकाल में ये लाइसेंस नहीं दिए गए थे और इसके साथ साथ उन्होंने यह भी कहा है कि यह सही है कि मेमोरेंडम हम को मिला था । वहां से बैठे बैठे बहस जब चल रही थी तो टोक कर कहा था ? खड़े हो कर व्यक्तिगत सफाई के तौर पर टोका था । फिर लोगों ने कहा था कि यह व्यक्तिगत सफाई नहीं है, यह इंटरप्शन है । तो यह तो इनकी सफाई होती है । अब सवाल उठता है कि मार्च के छः महीने में जिन्होंने अखबार 21 मेम्बर, वर्तमान रेल मंत्री और तत्कालीन विदेश व्यापार मंत्री के खिलाफ एक आर्टिकल छापते हैं । मार्च से ले कर यह सितम्बर का महीना है, इतने दिनों तक हम यह नहीं समझ सकते कि ये 21 मेम्बर या हमारे मंत्री जी जो कि जिम्मेवार लोग हैं अखबार जरूर ठीक से पढ़ते होंगे, उन के सामने जरूर अखबार आया होगा, शक तो तब होता है कि इन लोगों ने इस के खिलाफ कोई अपवाद का बयान क्यों नहीं दिया ?

दूसरी बात 21 में से 20 लोगों ने बयान दे दिया अध्यक्ष महोदय की मौजूदगी में और उन में से कई लोगों ने यह भी कहा था कि हम चाहते है कि समदोष जांच कमेटी बिठाई जाय । उस के तीन दिन बाद उन में से कितने ही लोगों ने कहा कि हम अपनी इस मांग को वापस ले रहे हैं । अब मुझे इन लोगों के चरित्र पर शक करने का आप इजाजत देंगे या नहीं देंगे जो दो दिन पहले एक बयान देते है और दो दिन बाद अपना बयान स्वयं बदल देते है। आज सारे देश में यह चर्चा है, ये लोग भी कहते है कि इन के हस्ताक्षर जाली है और सारे देश के अंदर यह चर्चा चल रही है कि सार्वजनिक जीवन में कितने लोगों ने दस्तखत करने के आदी हो गये हैं । यह भी चर्चा चलती है कि कई लोग बाएं हाथ से दस्तखत कर दिया करते है इसलिये कि पकड़े न जाएं । इस की जांच होनी चाहिये या नहीं और कौन जांच करेगा इस पर मंत्री जी पंडित ललित नारायण मिश्र यहां से चले गये । (व्यवधान) . . ये लोग हल्ला इसी तरह से करते रहेंगे । मैंने इन लोगों का हल्ला बहुत बार देखा है । उन्होंने कहा इंटरप्ट करते हुए कि हमारे कार्यकाल में यह लाइसेंस नहीं दिया गया । यहां होते तो मैं उनसे पूछता, लेकिन फिर भी पूछना चाहता हूं और एक बार और पूछा था, आप को अलग अलग में और मंत्री बैठे हैं, मैं यह नहीं कहता ये सब मंत्री लोग बहुत ईमानदार हैं, मैं

यह भी नहीं कहता कि ये बहुत इमानदार की तरह से रहते होंगे, लेकिन इतना जरूर कहना चाहता हूं कि इन मंत्रियों पर क्यों नहीं उंगली उठती ? क्या वजह है कि सिर्फ पंडित ललित नारायण मिश्र पर ही हल्ला मचा करता है ? कहीं न कहीं कोई कारण तो हुआ करता है और मैं कहूंगा उत्तर प्रदेश के भूतपूर्व मुख्य मंत्री श्री चन्द्रभान गुप्त ने एक बयान टेंडर किया हुआ था जिसके बारे में अखबारों में भी आया था कि उत्तर प्रदेश और गुजरात के चुनाव के लिये 5 करोड़ रुपया सत्तारूढ़ दल ने इकट्ठा किया। उस टेंडर का मैंने सुना और उस टेंडर में हमें पंडित उमाशंकर दीक्षित का नाम सुनने को नहीं मिला, पंतजी का नाम सुनने को नहीं मिला, विद्याचरण शुक्ल का नाम सुनने को नहीं मिला।

विद्याचरण शुक्ल का नाम सुनने को नहीं मिला, श्री बी० आर० भगत का नाम सुनने को नहीं मिला फिर रेल मंत्री श्री ललित नारायण मिश्र का ही नाम सुनने को क्यों मिला ? (व्यवधान) यहां पर कितने ही मंत्री बैठते हैं प्रधान मंत्री से लेकर छोटे मंत्रियों तक लेकिन केवल श्री ललित नारायण मिश्र के बारे में ही चर्चा चलती है क्योंकि यह अकसर लिफाफा इस्तेमाल करते हैं। (व्यवधान) जो हल्ला करने वाले उनसे भी मैं कह देना चाहता हूं कि आप भी हल्ला करते हों तो उस लिफाफे की घटना को याद रखना, उसके बाद आपकी जबान स्वयं बन्द हो जायेगी अगर आप में जरा भी शर्म होगी तो।

अब बेचारे तुलमोहन राम जी इसमें फंसे हुए हैं। उनके बारे में हमको बताया गया कि पिछले 6 महीने के अन्दर उन्होंने 56 एकड़ जमीन खरीद लिया है, 5 हजार रुपया एकड़ के हिसाब से (व्यवधान) यह सफाई दे रहे हैं। लेकिन उन्होंने जमीन खरीदी है यह हकीकत है। वाजपेयी जी ने जिस छोटूराम भगवान का जिक्र किया है उस छोटूराम ने मुझे चिट्ठी भेजी है। तीस हजार रुपया श्री तुलमोहन राम ने उस छोटूराम से लिये है। जब वाजपेयी जी बोल रहे थे तो छोटूराम यहां गैलरी में बैठा हुआ था। कहिये तो मैं आपकी जानकारी के लिये यह चिट्ठी रख दूं। वह लिखता है

मेरा नाम छोटूराम भगवान है। मेरा घर खेड़ा कला पो० खेड़ा कला, दिल्ली 42 में है। मेरे गांव कुछ बदमाश मेरे ऊपर अत्याचार करते थे और मेरे लड़के को अपहृत करके छिपा दिया लगभग तीन साल पहले। मैंने उस लड़के की खोज के लिये राज्य गृह मंत्री श्री के० सी० पंत और दिल्ली के उपराज्यपाल के यहां अपील की। उसके कुछ बाद मेरा दूसरा लड़का भी गायब कर दिया गया। एस० डी० एम० श्री अग्रवाल की कोशिश से एक लड़का तो मिला पर दूसरा लड़का डेढ़ साल बाद मिला। श्री यायेन्द्र झा, एम० पी० के यहां मैं अपना दुखड़ा सुनाने गया वहीं पर श्री तुलमोहन राम, एम० पी० उपस्थित थे। उन्होंने मेरी सहायता का आश्वासन दिया और दस रुपया भी मेरे बच्चों के खिलाने के लिये दिया और अपने यहां रहने के लिये कहा। उनके दबाव डालने पर मैंने अपने दो भाइयों की जमीन के साथ 16 बीघे 2 कट्ठा जमीन बेचा जिसमें मेरा हिस्सा 33 800 रुपये होता था

अध्यक्ष महोदय : पांडिचेरी की फर्मों का लाइसेंस देने के बारे में यह मोशन आया है, उसके बारे में कुछ कहिये, यह छोटूराम को आप कहां से ले आये।

PROF MADHU DANDEVATE He came along with Tulmohan Ram

SHRI S M BANERJEE· May I draw your attention to my amendment to Shri Vajpayee's resolution?

अध्यक्ष महोदय: तुलमोहन राम का जो फैसला करना है, आपके सामने सुबह एक मोशन आया कि हाउस सीज्ड हो, कमेटी बने या न बने, कोई जहान को बात नहीं जो आपने नहीं की लेकिन जो मोशन है उसपर भी तो कुछ कह।

SHRI S. M BANERJEE: Why do you not read it? It is there already.

अध्यक्ष महोदय मैं ने आपको नहीं बुलाया है।

श्री जनेश्वर मिश्र तुलमोहन राम जो के बारे में सम्बोधन है जिसके बारे में बनर्जी साहब कहना चाहते हैं।

तुलमोहन राम केवल इस सदन के लिये नहीं, सारे देश के लिये एक रहस्य बनने रहे हैं। केवल लाइसेंस कान्ड की ही बात नहीं है, इसके पहले भी वह कैसे रहे उसको भी देखना पड़ेगा। जैसा वाजपेयी जी ने कहा यह तुलमोहन राम श्री ललित नारायण मिश्र जी के पिता जी के नाम पर अपने क्षेत्र में एक स्कूल चलाते हैं। अब मैं एक सवाल पूछना चाहता हूं, मिश्रा जी होते तो उन्हीं से पूछता वह कोई राजनेता थे क्या, वह कोई शिक्षाविद थे क्या, हैं उनके नाम पर स्कूल चलाया गया? (व्यवधान) आज भी यह बहस अपनी जगह पर फंसी रहेगी क्योंकि जब जांच की बात चलती है तो प्रधान मंत्री कहती हैं सी बी आई से जांच होगी। सी बी आई में क्या हुआ करता है? वहां इस सरकार के नौकर ही तो हैं। क्या नौकर अपने मालिक के बारे कोई जांच कर सकता है इमानदारी के साथ? हम लोगों के बारे में हमारे खिलाफ जो चाहे जांच करवा सकते हैं क्योंकि हम आपकी प्रजा हैं विरोधी होते हुए भी जो भी रूलर आप चाहें वह आप लिखवा सकते हैं क्योंकि सी बी आई का जो डायरेक्टर होता है वह जानता आपकी मर्जी के खिलाफ कलम चलाएगा आपकी प्रधान मंत्री की मर्जी के खिलाफ कलम चलायेगा तो एक दिन भी नौकरी में नहीं रहेगा। उसकी हिम्मत नहीं है कि आपकी मर्जी के खिलाफ अपनी कलम चला सके। आज तुलमोहन राम भी नहीं है और प्रधान मंत्री जी भी गायब हैं। दोनों गायब हैं साथ साथ। इतनी महत्वपूर्ण चर्चा जिसके बारे में सारे देश में चर्चा हो रही है ऐसे मौके पर इस सदन में गायब रहें तो एक तरह से यह इस सदन का अपमान है। मुझे डर है मुझे ही नहीं सारे विरोध पक्ष को डर है कि यही दोनों गायब नहीं हैं लाइसेंस कान्ड के सिलसिले में जितने कागजात हैं वह भी गायब करने की साजिश चल रही है।

अब मैं साजिश के बारे में भी कुछ बता दूं। एक दो मिनट में ही खत्म करूंगा (व्यवधान) आज जब श्री ललित नारायण मिश्र का रेल बजट चल रहा था – आप वहां पर नहीं थे उपाध्यक्ष महोदय बैठे थे–श्री एक रघुरामैया जी ने चालीस कांग्रेसी सदस्यों की लिस्ट दे दी कि यह सब इस बहस में पार्टिसिपेट करेंगे। यानी लाइसेंस स्कैंडल वाली बात किसी तरह से टल जाये इसी लिये उन्होंने 40 लोगों के नाम दे दिये। लेकिन उपाध्यक्ष महोदय ने उसमें केवल 5 नाम ही रखे।

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, I am very sorry that my name has been brought in I have myself told the Deputy-Speaker that he can guillotine the list The list was given immediately after the debate was taken up. It is not true that forty names had been given just to scuttle the debate (Interruptions).

श्री अनेश्वर मिश्र : वह चाहते थे कि किसी तरह से यह बहस टाल दी जाये।

SHRI K. RAGHU RAMAIAH. Sir, about the Prime Minister, the matter came up before the Business Advisory Committee I myself made it clear then that she would not be here today and all the Members said that even if the leader of the House was not there, we would go on with the debate So, what the hon Member said just now was wrong

श्री अनेश्वर मिश्र : विधि मंत्री जी ने सदन में आकर यह व यह कह दिया कि मुकदमा मजिस्ट्रेट की अदालत में दायर होने जा रहा है। वह अपनी तरफ से कोशिश करना चाहते थे कि यह मामला मबजुडिस हो जाये और इस पर बहस न चल सके। यह सारी की सारी हरकतें आज के "हिन्दुस्तान" अखबार में छपी है कि प्रधान मंत्री तो बाहर रहेंगी लेकिन कांग्रेस पार्टी की संसदीय पार्टी जो है वह इस बात का प्रयत्न कर रही है कि आज विरोध पक्ष के लोग अगर लाइसेन्स काण्ड पर बहस करते है तो कैसे उसका मुकाबला किया जाये लगता है मैं चीन का हमला होने जा रहा है।

MR. SPEAKER: May I tell you that the letter of absence of the Prime Minister at this stage was sent to me much earlier before the debate was fixed! This was then referred to this Committee. Please do not refer it again.

श्री अनेश्वर मिश्र अब अध्यक्ष महोदय, मैं दूसरी बात कह रहा हूं। इस समय पूरे देश का सार्वजनिक जीवन एक तरह से भ्रष्टाचार का गढ़ा हो गया है। खास तौर से जो सरकार चला रहे हैं उनके चलते पूरे देश की अर्थ-व्यवस्था लाइसेन्स और परमिट की अर्थ-व्यवस्था हो गई है। सरकार चलाने वाले लोगों को उससे थोड़ा अपना हाथ साफ रखना पड़ेगा, अपने को अलग रखना पड़ेगा। ऐसा नहीं होगा कि बाप या बेटा रोजगार में रहे, वह लाइसेन्स पाता रहे, रिश्तेदार और दूसरे लोग लाइसेन्स परमिट पाते रहें और ना या बेटा सरकार में रहे। यह दोनों बातें नहीं चल सकती है। (व्यवधान) तब मैं कहूंगा कि कि एक तरफ मां अपने बेटे के नाम पर कार का कारखाना खोलती हो और बेटा अपने बाप के नाम पर स्कूल खोलता हो. .(व्यवधान) मैं कहता हूं आप किस लिए गेंग पार्लमेन्टरी की बात करते हैं क्योंकि हिन्दुस्तान का भ्रष्टाचार कुछ अलग किसम का हो गया है। (व्यवधान) इससे अगर मुक्ति पानी है तो मैं कहूंगा कि वाजपेयी जी जो प्रस्ताव यहां लाये है उसको कांग्रेस पार्टी के लोग इमानदारी के साथ स्वीकार करें। (व्यवधान)

श्री शंकर देव : सवाल यह नहीं है कि भ्रष्टाचार है या नहीं, बहस इस पर होनी चाहिए कि सी० बी० आई० की जांच होनी चाहिए या संसदीय समिति की जांच होनी चाहिए। (व्यवधान)

श्री अनेश्वर मिश्र : अगर भ्रष्टाचार छोटा होता और सी० बी० आई० जांच कर लेती तो मुझे एतराज नहीं होता। लेकिन भ्रष्टाचार बड़ा है, देश के सार्वजनिक जीवन से संबंधित है इस लिये मेरी शंका है कि सी० बी० आई० आपने मालिकों के खिलाफ जांच नहीं कर सकती। इस लिये मैं कह रहा हूं कि एक संसदीय कमेटी बने और उसकी जांच खुली हो, अखबार वाले बैठें, देश की जनता देखे कि उसके चुने हुए प्रतिनिधि कितने अच्छे है। मैं खुद चाहता हूं कि जो संसद्य है जिन पर आरोप लग रहे हैं और जिन के कारण हमारे ऊपर आरोप लग रहे हैं वह सब बेदाग हो जाएं, और जो दोषी हैं उन को कड़ी सजा मिल जाये। अगर मंत्री पर आरोप है तो उसको सजा मिले। इसलिये संसदीय

[श्री जनेश्वर मिश्र]

कमेटी को जांच को सत्तारूढ दल के लोग ईमानदारी से मान ले और सर्व-सम्मत से इस को पास कर दे ।

श्री शंकर दयाल सिंह (बक्सर) अध्यक्ष जी, हम लोग एक गम्भीर विषय पर विचार कर रहे है । लेकिन दुख की बात है कि जिस गम्भीरता से विचार होना चाहिये था उस गम्भीरता को विरोधी दलो ने हास्यास्पद बना दिया है । माननीय जनेश्वर मिश्र के भाषण को सुन रहा था । इन को बहुत गम्भीरता से लेने की आवश्यकता नही है और न ही लोग लेते है । इन को देखने के बाद और इन की शकल सूरत पर ध्यान देने से पता चल जाता है कि यह क्या हैं । (व्यवधान)

श्री जनेश्वर मिश्र : किसी की शकल सूरत पर यहा बात होगी तब तो मैं कहूगा कि प्रधान मत्री की नाक भी बहुत बेडौल है । (व्यवधान)

अध्यक्ष महोदय : आप अपनी बात कहिये शकल सूरत तो बडी धोखे वाली होती है ।

श्री शकर दयाल सिंह : अध्यक्ष जी इन लोगों के सामने मुख्य रूप से दो प्रश्न हैं । एक प्रश्न यह है कि जो गम्भीर मामला सदन के सामने है जिस पर पूरे देश की आंख लगी है उस की जाच सी० बी० आई० करे या समदीय जाच कमेटी उस के लिये बने ? इस के लिये बार बार जो भी यहां भाषण दिये गये और आज से नही बल्कि 27 अगस्त से भाषण दिये जा रहें उन को सुनते सुनते कान पक गये और अखबार मे पढते पढते आंखे सूज गई । लेकिन मुझे पता नहीं चला कि हमारे विरोधी दल के नेता क्या कहना चाहते हैं । बार बार उन्हों ने यह कहा कि सदन की प्रतिष्ठा के लिये और सदस्यों की मर्यादा के लिये संसदीय समिति का गठन होना चाहिये । लेकिन मैं जानना चाहता हू कि सदन की मर्यादा को याद दिलाने वाले और उस को बार बार सामने रखने वालो ने पिछली 5 तारीख को सदन के सामने जो किया वही क्या उन की मर्यादा का प्रतिमान है ?

अध्यक्ष जी, दूसरी बात यह कि सदस्यो के लिये सहानुभूति और उन को प्रतिष्ठा की दुहाई बार बार दी गई । मुझे बडी खुशी है कि सदस्यो के प्रति सहानभति और हमदर्दी है । लेकिन सहानुभति और हमदर्दी के नाम पर जले पर नमक छिडकना और व्यगवाण छोडना यह कहा तक मनुष्यता का तकाजा है ?

मैं केवल दो, चार बाते कहना चाहता हू और खासकर माननीय वाजपेयी जी से क्यो कि वह एक समझदार आदमी हैं । यह ठीक है बेचारे बीच म बैठ गए है, इसी जमात म और दल मे भी हैं, फिर भी कुछ समझदार है । इन का सुझाव क्या है

समद सदस्य सार्वजनिक जीवन म आचरण का उच्च स्तर बनाये रखे अध्यक्ष द्वारा नाम-निर्दिष्ट 11 सदस्यो की एक समिति गठित की जाय ।" अध्यक्ष जी, माननीय वाजपेयी जी चाहते हैं कि 11 संसद सदस्यो की एक समिति गठित हो इस बात का फैसला करे । लेकिन 20 सदस्यो ने यहा खडे हो कर कहा कि उन के दस्तखत जाली किये गये है अब जो 20 सदस्यो की बात नही मानता तो 11 सदस्यो की बात कैसे मानेगा । उन सदस्यो ने खुद अध्यक्ष जी से स्वयं निवेदन किया है कि हमारे जाली हस्ताक्षर बनाये गये है, इस पर कडी से कडी कार्यवाही होनी चाहिए । तो जब 20 की बात नही मानते हैं तो 11 का औचित्य क्या है ? मान्यवर, गणित पढने का जो मुझे मौका मिला तो मेरे गुरु ने पढ़ाया कि 11 से बडी 20 की संख्या

होती है, और मैं जब 11, 20 की बात कर रहा हू तो माननीय वाजपेयी जी खुद नौ दो ग्यारह हो गए ।

अध्यक्ष महोदय, जहा तक सी० बी० आई० की बात है आप सदन की कार्यवाही उठाकर देख ले जब भी कभी कोई बात हुई है हम लोगों ने नही कहा है, लेकिन विरोधी दल के साथियो ने बार बार जरुर कहा है कि इस की जाच सी० बी० आई० द्वारा होनी चाहिय । बार बार कहा है कि सरकार कतरा रही है कि इस की जाच सी० बी० आई० द्वारा कराई जाय । और जब आज हम सी० बी० आई० द्वारा जाच करा रहे है तो आप कतरा रहे है । इसलिये इस मामले को सहानुभूति का, निष्ठा का और ईमानदारी का मामला बनाया जा सकता है, लेकिन राजनीति का व्यापार नहीं बनाया जा सकता है ।

अध्यक्ष जी, इन्हे संसदीय प्रणाली कितना विश्वास है और संविधान के प्रति कितनी मर्यादा है इस का कई बार प्रदर्शन स्वय दे चुके है । 5 सितम्बर को जो सदन मे घटना हुई "प्रतिपक्ष" अखबार को लेकर, पूरे "प्रतिपक्ष" ने जो नाटक रचा उस को पूरे देश ने देखा और माननीय लिमये के क्षेत्र बाका के लोग जब बेचारे मेरे यहा आते है 5 को यह घटना हुई 6 तारीख के अखबारो मे यह बात आयी और 7 तारीख को इन्ही के क्षेत्र के लोग मुझ से मिलने आये उस मे से एक व्यक्ति ने, जो माननीय लिमये जी का समर्थक रहा है, कहा कि माननीय मधु लिमये को हम लोगो ने संसदीय प्रणाली की रक्षा के लिये यहा पर भेजा था, नौटकी करने के लिये नही भेजा था । यह मैं नही कह रहा हू, मैं तो उन का बड़ा आदर करता हू, लेकिन इन के क्षेत्र के एक ऐसे समर्थक ने जिस ने केवल वोट ही नही दिलाये बल्कि अपने ट्रैक्टर पर वोटर ढो ढो कर ले गया और वोट दिलाये, उस ने मुझ से यह शब्द कहे । अध्यक्ष जी, जैसे उस घटना का नाम सुनते ही अपने अपने गाल पर हाथ रख लिया वैसे ही उस आदमी ने उस घटना को सुन कर अपना सर नीचे कर लिया । मैंने कहा ठीक है आप ऐसे ही नमूने चुन कर भेजिये ।

हमारे सामने दो प्रश्न है । एक प्रश्न तो लाइसेंस पद्धति से सम्बन्धित है । उस मे कौन सी भूल हुई है कौन सी अनियमितता हुई है कैसे यह घोटाला हुआ है लाइसेंस के लिए जो ला बना हुआ है उसका कहा अतिक्रमण हुआ है इसको आप एक ओर रखें । जिन सदस्यो के नाम इस मे घसीटे जा रहे है उसको आप दूसरी ओर रखे । बीस सदस्यो के जाली हस्ताक्षर किए गए है और उनको गलत ढग से इस मे घसीटा गया है । मै चाहता हू कि चाहे रात को दो बज जाए हमे बैठ कर इन सदस्यो के नामो के बारे मे सफाई कर देनी चाहिये उनको बिल्कुल बरी कर देना चाहिये ताकि कल ये उन पर कोई उगली न उठा सके । अगर आपने ऐसा नही किया तो ये लोग अभी नहीं बल्कि 1976 के इलेक्शन तक इनके नाम ही भेजते रहेंगे । आज ही सत्र समाप्त होने के पहले गृह मत्री या सरकार की ओर से बयान आना चाहिये कि जिन के जाली हस्ताक्षर करके इतना बडा जाली काम किया गया है वे निर्दोष हैं उनका इस घटना से कोई सम्बन्ध नही है, कतई नही है और अगर कल से—कोई इन सदस्यो का नाम लेगा तो वह उनकी मर्यादा हनन करने का दोषी होगा । उसके साथ जो जो भी इस जालसाजी के लिए दोषी हो चाहे वह अधिकारी हो या व्यापारी हो उसको सरकार को किसी भी हालत मे नही बख्शना चाहिये ।

वाजपेयी जी ने कहा कि देश मे नैतिक मूल्यो का बहुत सकट है । लेकिन मै कहूगा कि अनुभूति का भी बहुत बडा सकट है और इसलिए कि कुछ दिन पहले इस सदन मे एक जो बुलेटिन होता है वह आया था या नोटिस आया था और उस मे एक करेला जार्ज फरनेंडीस थे और दूसरे नीम चढ़ा

[श्री शंकर दयाल सिंह]

पीलू मोदी थे और मोदी जी ने समझा कि उन्होंने बहुत बड़ी करामात की है और समझा कि संसद की इससे मर्यादा ऊंची होगी लेकिन संसद् की मर्यादा पर ही उन्होंने कुठाराघात किया और जब संसदीय प्रणाली का इतिहास लिखा जाएगा तो उनको उस में कभी क्षमा नहीं किया जाएगा । आपने श्री जार्ज फरनेंडीस से यह कहलवाया कि संसद दलालों का अड्डा है । आप इस तरह की बातें लिखा सकते हैं, इस तरह की भाषा का प्रयोग कर सकते हैं लेकिन हम लोग इस प्रकार की भाषा का प्रयोग नहीं कर सकते हैं ।

अध्यक्ष महोदय : इस से इसका क्या ताल्लुक है ?

श्री शंकर दयाल सिंह : आपने इनके भाषणों को नहीं सुना होगा । ये तो बिल्कुल लाइन से हट गए थे । मैं तो बड़ी लाइन से हट कर छोटी पर आया हूं लेकिन ये दोनों में से किसी पर नहीं थे ।

प्रश्न पैदा होता है कि जाली हस्ताक्षर कैसे हुए होंगे । लेकिन यह सवाल अलग है । असली जो बात है वह यह है कि बीस सदस्यों ने कह दिया है कि हमारा इससे कोई सम्बन्ध नहीं है, हमने हस्ताक्षर नहीं किए हैं । अब संसदीय प्रणाली का हमारे यहां जो ढांचा है, संसद् जो हमारे यहां है, यह सर्वोच्च है और इससे बढ़ कर कोई दूसरी चीज नहीं है । अब जब उन्होंने कह दिया है कि हमारे ये हस्ताक्षर नहीं हैं तो शक और शुबहा करने की जरूरत ही नहीं रह जाती है । आपको इस पर विश्वास कर लेना चाहिए । एक बात और आप देखिए फर्म दक्षिण की है और हस्ताक्षर करने वाले उत्तर के हैं । ऐसा क्यों हुआ ? इस लिए हुआ कि ऐसे अनजाने आदमियों के हस्ताक्षर कर दो जिनको पता ही न चले दक्षिण वालों के अगर हस्ताक्षर किए जाते तो तुरन्त पता लग जाता । इसीलिए उत्तर वालों के लिये गये अब हैंडराइटिंग एक्सपर्ट जब इन हस्ताक्षरों को देखेगा तो ही सकता है कि आप में से ही कोई लोग उस में फंस जाएं । इस वास्ते मेरी प्रार्थना है कि सी० बी० आई० की रिपोर्ट आप आने दो, जांच पूरी हो लेने दो उसके बाद हम इस पर विचार कर सकते हैं ।

इन शब्दों के साथ मैं इस मोशन का विरोध करता हूं और साथ साथ सरकार से अनुरोध करता हूं कि शीघ्र से शीघ्र वह जांच कार्य को पूरा कराए और रिपोर्ट को सदन पटल पर रखे ।

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, I have been in this House for nearly two years now and I must confess that I have never felt more sad than I do today. The whole debate in more than one sense has been curious to say the least. Many members of the ruling party have tried their best and utmost to use their debating skill and logic such as they possess, to rebut the main arguments. But, Sir, we are really discussing not so much the question of alleged forgery of signatures of 21 members of this House. That incident, unfortunate and sordid as it is, has only given us an opportunity to do some hard and sincere and complete searching within. Instead of doing that, the ruling party members are making fun of the whole thing. When 21 members of their party are under severe attack not only by this House but by the entire country, they should have fielded their spokesmen in such a way that they will come out candidly with their arguments instead of making fun of the situation. Enough has already been said on both sides in favour of one indisputable fact, namely, the prestige of the whole Parliament is at stake. Therefore, we must take a whole view and not a

partial or partisan view of the entire situation

Sir during the debate several scandalous points and events have been narrated and a number of skeletons have been brought out of the cupboards and dissected on the floor of the House The entire thing had thus started stinking in this House itself Now instead of ridiculing the whole thing, we should have started a critical self-analysis to find out where we, individually and collectively have gone wrong and we should then apply ourselves as to how to restore the credibility in the public eye of this august Parliament I have no desire to add to the number of incidents narrated in such a flowery language nor is it within my power or temperament to do so I have been watching the Government side Those in the centre of not attraction but attack are sitting here almost from 4 o'clock continuously Some have chosen to be absent may be because of prior engagements I should have thought however that no prior public engagements can have precedence over the engagement in Parliament All public engagements however important they may be they should have a secondary priority The first priority for every hon Member should be to remain present here and listen and if necessary speak So while I do not want to make an issue of it I should have liked the Leader of the House to be present here and reply to all the points herself

I find the Ministers particularly one Minister who has been attacked again and again—I do not know whether I should admire him or marvel his capacity but I must certainly say that I am both amazed and amused—I am sorry to say that he is unperturbed It is said of politicians

22 00 hrs.

MR SPEAKER What do you think he should do—weeping the whole night?

SHRI P G MAVALANKAR I should have thought that a Minister who is under attack would at least not take these things lightly or in a casual manner But the Congress Members are taking this matter casually and gracelessly

It is not this or that member who has been discredited The entire Parliament has been utterly discredited This is not character assassination of this or that individual Member of Parliament or of this or that political party It is the character of the whole Parliament that has been assassinated in the country at large today Should we then, take a partisan viewpoint? All of us have become suspect in the public eye Do we want to tolerate this? Are we not bothered about this blot on Parliament? Should we not remove it immediately and effectively?

The other day I happened to overhear the talk of some security guards of our Parliament It was very painful but interesting to hear what those security guards said And they are the security guards who are watching us guarding us both our physical and moral selves One of them said in so many words nowadays do not take anything that is happening in Parliament seriously' All of us Ministers and Member have become the target of criticism This is the view of an ordinary man in this country about our behaviour about our functioning The people who are away perhaps we can fool and deceive them, but the people who watch us every minute, what we speak inside the House and what we do outside the House we cannot deceive them They are the better judges So I want to ask whether you are going to take these things lightly Only a full and an independent and a truly full-fledged parliamentary probe can repair the severe damage that has already been done

MR SPEAKER Why do you involve the staff here in your discussion? They

[Mr. Speaker]

have no business to talk like that and you have no business to quote them like that.

SHRI P. G. MAVALANKAR: I am only giving expression to what they have been talking about us. Some of us may deny it. People are afraid of saying these things because of the question of parliamentary privilege. But the fact remains that millions of people are openly talking without fear of what is happening in this House.

Now, Sir, my hon. friend, the Commerce Minister, Prof. Chattopadhyaya, intervened in the debate. But instead of clarifying the points, he has only further deepened the issue. Instead of giving all the details, he has brought in more involvement and more complication. He has left many things unanswered or half answered. Therefore, I ask: can we at this stage take a merely legalistic view of the matter? Do we want to get bogged down in technicalities? Should we not lift ourselves above party warfares and legal squabbles?

I would not deal with the 21 MPs' alleged signatures. Many members have done that.

I want to point out that, when the Commerce Minister gave one name of a member who, he said, allegedly belonged to CPM—some friends here challenged it—, when the Minister gave the name of one former Opposition MP, the whole group of Congress benches became very jubilant and started jeering at the CPM members....

SHRI S. M. BANERJEE: Sir, I want to make a submission. I was not here when this point was raised. I came to know that the hon. Minister, Prof. D. P. Chattopadhyaya, mentioned the name of Shri V. P. Nair and said that he was a member of the Third Lok Sabha. Shri V. P. Nair was not in the Third Lok Sabha at all. He was a member of the Second Lok Sabha. In 1957 he was just an independent, supported by the CPI; he was an associate member. In 1962 he was asked not to contest, but he fought against Shri Sreekantan Nair, a candidate of the United Front. The Party disowned him and threw him out of the Party. Now, are you in a position to throw out Shri Tulmohan Ram? (*Interruptions*).

SHRI P. G. MAVALANKAR: My point is that, when one name of a former Opposition Member was cited, the Congress Benches became very jubilant. Is it something to be happy about? Whether it is a Congress MP or an Opposition MP, whether it is a sitting Member or an ex-Member, it is the dignity of the House which is involved. Therefore, we should not be happy about it. Here, the dignity of the entire Parliament is involved.

MR. SPEAKER: Please try to conclude.

SHRI P. G. MAVALANKAR: I am concluding, Sir. The Mudgal case was referred to and it was argued that there was no parallel. Maybe or may not be. But why can we not ourselves take today the only bold step available to us, namely, constitute forthwith a Parliamentary Committee to probe into this? That is why, I have also moved three amendments.

My good friend and a former Minister, Shri B. R. Bhagat, said that never before was a Parliamentary probe instituted. Perhaps he is right. But then the answer to Mr. Bhagat and his friends is that never before such a scandal of gigantic proportion and multiple dimensions took place. That is why this Parliamentary probe becomes essential and obvious.

My friend, another Mr. Bhagat, also talked about some other things. He has said that the CBI enquiry is going on, and he then asked as to why do we demand a Parliamentary probe. It is not that, when a Parliamentary probe is instituted, the CBI inquiry is ruled out. As a matter of fact, what the Parliamentary Committee

will do is to have all these governmental agencies come directly under its control so that Government will not tamper with any documents The people at large will have confidence not in a governmental inquiry but in a Parliamentary inquiry That is why we want to have it that way

I conclude by saying that, when the issue at stake is one of character and integrity of the whole House and of the Parliamentary institutions it cannot be the prerogative of a veto of the majority to view it as a party prestige matter or a government prestige issue, and Government should not stand doggedly against having a Parliamentary probe So, I hope that Government will take a fresh view of the whole matter and will support the motion so ably and so objectively and so movingly put before this House by Sh Atal Bihari Vajpayee

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT) The question has been discussed very comprehensively In the course of the debate many members have brought matters—some partly relevant some remotely some others having no relevancy at all matters relating to other States and to other occasions But one thing can be said that every aspect of the question has been remarked upon

I feel that the case of the Opposition has been best put by three or four members by our hon friend, Shri Atal Bihari Vajpayee who moved the resolution, Shri Shyamanandanji and one or two others I will refer to them briefly, but before I enter into a detailed examination of the arguments placed before the House I would like to enter a very strong protest against the manner in which the last speaker my friend, Shri Purushottam Mavalankar has thrown mud at everybody around In the first place, he began by saying that all the members who have denied their signatures are under a cloud, that they are under suspicion Then he said that the entire House is now in disgrace Has a more untenable and unsupportable charge ever been made in any country? I do not know whether he made it in an impulsive mood But, let him not so exaggerate things He is himself an hon Member of this House Is he serious? Does he accept this proposition that all the hon Members of this House are under a cloud? Possibly there is a very small number, possibly it may be only one member In such a situation for the hon Member to go and blacken every face is not fair He has mentioned one source of his information namely a security guard whom he happened to meet What did he say? He said that the Ministers and Members are constant targets of attack and targets of criticism Who is responsible for this? Friends like Shri Purushottam Mavalankar who day in and day-out in season and out of season always only criticise Naturally therefore the atmosphere gets vitiated But I would advise him that if he wants to understand the public opinion in this country then it is not the security guard he should consult though even security guard can give him correct advice If he had the sense to understand the significance of what the security guard said he would not have repeated that statement

अब मैं वाजपेयी जी के भाषण के सम्बन्ध मे कुछ हिन्दी मे बोलना चाहता हू । पहले तो मुझे वाजपेयी जी से शिकायत है शायद ही पहले कभी ऐसा हुआ हो कि उनके भाषण से शिकायत हुई हो लेकिन आज यह शिकायत है कि उन्होंने बहुत सी नयी बातें कई नये नाम, बिना पहले आपके पास सूचना भेजे, बताये और आरोप लगाए कि राजस्थान मे क्या हुआ दूसरी जगहो मे क्या हुआ—इस प्रकार चार पाच उदाहरण दिए और घटनायें बताई । सामान्य रीति से औचित्य के अनुसार वह व्यवहार होना चाहिए जैसा हमारे मित्र

[श्री उमा शंकर दीक्षित]

जो कभी मित्रता का व्यवहार करते हैं, कभी अमित्रता का—श्री ज्योतिर्मय बसु करते है वह जब भी किसी का नाम लेने वाले होते हैं तो आपके द्वारा बराबर हमारे पास सूचना भेजते रहते है। हम जब यहां पर बैठे है और आज इस सत्र का आखिरी दिन है, हम उसके बारे मे तैयार होकर भी नही आ सकते हम बाहर जाकर पूछ भी नही सकते लेकिन वे यक ब यक कुछ घटनायें, कुछ नाम और कुछ बाते कह देते हैं तो यह जो एक उच्च परम्परा विवाद की, उत्तर की, बहस की स्वय उन्होने इस सदन मे कायम की है उसको उन्ही के द्वारा तोडते देखकर मुझे चिन्ता और दुख हो रहा है। (व्यवधान) नोटिस दी है तो अच्छी बात है, चारो के लिए दी है या क्या दी है, मुझे मालूम नही। मेरे पास सूचना नही आई है।

श्री अटल बिहारी वाजपेयी: अध्यक्ष जी, आज सवेरे जो मैं ने आपको पत्र लिखा जिसमे श्री तुलमोहन राम को हाउस की सर्विमेज से सस्पेन्ड करने के अमेडमेट को पेश करने की इजाजत मागी उसमे मैं ने लिखा है कि बहुत से तथ्य कल मेरे पास आये हैं इसलिए मैं आज अमेंडमेट पेश करने की इजाजत मागता हूं। (व्यवधान)

श्री उमा शंकर दीक्षित अगर इन्होने यह लिखा है तो जो बात मैं ने कही वह सिद्ध हो गई और अब और कुछ कहने की आवश्यकता ही नही है।

इन्होंने जो मुख्य मुख्य बातें कही है उनके बारे मे बहुत सक्षेप मे कहना चाहता हू। एक ता इन्होने कुछ उदाहरण दिए। और नाम लिया श्री मदगल का। कई और लोगो ने भी उनकी बात कही है। मै दोहराना नहीं चाहता, मैं वही बात कहूंगा जो नयी कहनी होगी या जो कहनी रह गई होगी। मुदगल का उदाहरण और आज जो हमारे सामने प्रश्न उपस्थित है—इन दोनो मे कोई समानता नही है। जो मैं ने पढा है उसके अनुसार बम्बई बुलियन एसोसिएशन की एक मीटिंग थी जिसमे बम्बई सरकार का कायदे मे बनाया हुआ रेप्रेजेन्टेटिव रहता था, उसके सामने बहा एक श्री तिवारी चेयरमैन या जो भी थे उन्होंने यह प्रस्ताव रखा कि मुदगल एक सज्जन ऐसे हैं जो हमारी बात ससद मे उठा सकते है, हमारी बहस कर सकते है, उनको हम कुछ रुपया दे और वह जाकर हमारी तरफ से बात करे। उन्होने खुली बात कही थी। सारे एसोसिएशन की मीटिंग मे उसका निर्णय हुआ और मिनिट मे वह लिखा गया था। उसके बाद जो सरकार के प्रतिनिधि थे उन्होने अपनी सरकार को सूचना दी यहा पडितजी के पास भी आई। किसी न वकील के तौर पर कुछ लिखकर भेजा वह चाहे मार्क्सिस्ट हो, चाहे सी पी आई के हो, चाहे दक्षिणपथी हो चाहे वाम मार्गी हो (व्यवधान) वाम पथी कह लीजिए, वाम मार्गी न कहिए, मेरे मुह से निकल गया—उस तरह का वाममार्गी मे किसी को नही कह रहा हू जिसकी आपने कल्पना कर ली है—तो वह किसी पथ के हो, सवाल यह है कि वकील के तौर पर उनको कहा गया कि वह अपने काम का पुरस्कार ले ले। जब पडित जी के पास बात आई और पत्र व्यवहार हुआ तो स्थिति स्पष्ट हो गई और कोई बहस की बात शेष नही रही। यह तो पडित जी का महान व्यक्तित्व था कि उन्होंने सोचा कि बजाये इसके कि यह कहा जाये कि प्रधान मंत्री के कहने से निश्चय किया गया अधिक उचित होगा कि यह सवाल कमेटी के सामने रख देना चाहिए। लेकिन उस प्रश्न मे कोई चीज जाच करने की बाकी नहीं रही थी। श्रीमन्, आप देखेंगे, वैसे तो आपको सब विदित होगा ही कि वह प्रश्न ही उस समय तक हल हो चुका था, सिर्फ इतना निश्चय होना था कि

वह सदस्य रहेगा या न रहे । मुख्य प्रश्न औचित्य का था कि हम एक ऐसी परम्परा बनावें कि यदि कोई काम काज के लिए भी रुपया लेता है और उसमें कोई बकायदगी नहीं होती है फिर भी ऐसे सदस्य का सदस्य नहीं रहना चाहिए । इसलिए श्री मुद्गल को इस्तीफा दे देना पड़ा । इसलिए उस मामले में और इस मामले में जमीन आसमान का फर्क है ।

एक साहब ने प्रोफ्यूमो की बात कही । इस सम्बन्ध में मैं यह निवेदन करना चाहता हूं कि जो भी प्रश्न उठे उसमें सत्य को देखकर आप विचार कीजिए, आप उसके पक्ष में मत दीजिए या विपक्ष में उसमें मुझे कोई शिकायत नहीं है लेकिन जो भी आप मत बनाइये वह सत्यात्मक होना चाहिए, तथ्यों पर आधारित होना चाहिए । श्री प्रोफ्यूमो के मामले में क्या हुआ ? पश्चिम में जैसी पर्मिसिव सोसायटी है, यदि आप बुरा न माने तो कहूं कि उस समय प्रोफ्यूमा का जो चाल चलन प्रकाश में आया उसके बारे में किसी ने उनसे त्याग-पत्र देने का सवाल नहीं उठाया था । प्रोफ्यूमो ने संसद में झूठ बोला था ।

Therefore, when the Prime Minister came to know about it, and enquired Mr Profumo admitted what he had done. Then he had to resign immediately. (*Interruptions*).

SHRI SHYAMNANDAN MISHRA: That is the Parliamentary system He could not but resign.

SHRI UMA SHANKAR DIKSHIT Because he had told a lie in Parliament therefore according to prevailing parliamentary norm in Britain he had to resign. But, if you equate it or even compare it with any degree of similarity with the present situation, that is not a correct thing to do.

माननीय सदस्य ने वाटर गेट की भी तुलना दी । कोई भी तुलना दे सकते हैं । यह तो इमम्यूनिटी है । लेकिन वाटर गेट में क्या हुआ था ? वह जो घटनायें हुई थीं उनका आरम्भ में अन्त तक बराबर छिपाने की कोशिश की गई थी, और जब जब उस बात के प्रकाश में आने की सम्भावना आयी तब तब श्री निक्सन के साथियों ने और उन्होंने स्वयं भी उस में हिस्सा लिया, छिपाने की कोशिश की ।

लेकिन इस मामले में क्या हुआ ? एक अखबार के अन्दर जो करीब 30 मार्च को छपा था, यह लिखा था कि

"Recently, nearly 24, Members of Parliament had applied for some licences which have been issued. It is now alleged that some of these signatures on the applications were forged, and that when an officer approached one of them, he broke down, etc.'

Now, Sir, there is no indication in it as to what part of the country the case related to and what kind of business it was Any 24 Members could have written And when we say nearly 24, it may mean 20, or 15 or even 24 This gave very little clue for CBI to follow

What did the Minister in charge do? He immediately wrote to the Minister In charge of CBI saying that these are serious allegations about which appropriate action should be taken

Then, he wrote to the Speaker, I am sure Sir, you will recollect it, asking for permission He wrote to the Cabinet Secretariat, to the Personnel Department And he wanted permission for contacting and examining the Members of Parliament in a matter like this, because this is not normally done. CBI were permitted to do so.

SHRI SHYAMNANDAN MISHRA: So, you are confirming the newspaper reports that the investigation was conducted after getting approval from the Chair? So, the newspaper gets vindicated.

SHRI UMA SHANKAR DIKSHIT: Are you a representative of the newspaper? I can quote a number of cases.... (*Interruptions*).

MR. SPEAKER: Mr. Mishra is right. He says—did you ask for the permission of the Speaker? In this House, I said that the newspaper report was not correct. Now, let me know when my permission was sought, whether anything is there.

SHRI UMA SHANKAR DIKSHIT: The Lok Sabha Secretariat was kept informed. (*Interruptions*).

SHRI SHYAMNANDAN MISHRA: On a point of order... (*Interruptions*).

SHRI JYOTIRMOY BOSU: On a point of order... (*Interruptions*).

SHRI UMA SHANKAR DIKSHIT: If I have incorrectly stated the facts, I am sorry. I am speaking from memory. I stand corrected.

SHRI JYOTIRMOY BOSU. On a point of order. I had raised the matter last week and you had made a clear categorical statement from the Chair that 'At no point of time I have been consulted or my permission had been obtained.'. Now, the hon. Minister has chosen to mislead the House.

SHRI UMA SHANKAR DIKSHIT: I have said that so far I am speaking from memory, from whatever information I have. I am not in the habit of referring to notes all the time. I am sorry if I have overstated or understated the facts. (*Interruptions*) My colleague will explain in a couple of minutes.

PROF. D. P. CHATTOPADHYAYA: The Lok Sabha Secretariat was informed by a letter addressed to your Setretariat, Shri P. K. Patnaik, by my special assistant, Shri N. K. Singh on 7-4-1974.

SHRI SHAMNANDAN MISHRA: What kind of information? (*Interruptions*)

AN HON. MEMBER: Read the letter.

MR. SPEAKER: Kindly read it.

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, सेक्रेटेरियेट को इन्फार्म करना और आप को कम्प्लेन करना दोनों अलग चीजें हैं।

PROF. D. P. CHATTOPADHYAYA Sir, I am reading out the letter

"Lok Sabha Secretariat may kindly refer to their U.O. No. 34/7/X/74/P dated 2nd April, 1974 regarding the news item published in *Blitz* of 30th March, 1974 on the issue of licence to a particular party. The news item does not indicate the name of the Congress MP, the name of the firm, nature of the business or other particulars for enabling this Ministry to offer any substantive comments on the news item appearing in the weekly. Under the circumstances, we have passed on the letter of Shri Jyotirmoy Bosu and the reference from the Lok Sabha Secretariat to the Cabinet Secretariat, Department of Personnel, which looks after the CBI for taking such action as they consider appropriate. We have no objection if a copy of this letter is shown to Shri Jyotirmoy Bosu. This note has been seen and approved by the Commerce Minister.".

(*Interruptions*)

SHRI JYOTIRMOY BOSU: Sir, the Minister has been trying to mislead you. Where is the Speaker's name mentioned?

(*Interruptions*)

श्री मधु लिमये : अध्यक्ष महोदय, न आप की इजाजत ली गई और न आपको कमेन्ट किया गया ।

MR. SPEAKER: This was in view of the question and you reply to hundreds of such questions, which come to you.

You informed the Joint Secretary, that reference his letter, it has been forwarded to the Cabinet Secretariat But where does the Speaker come?

PROF D. P CHATTOPADHYAYA: I said the Lok Sabha Secretariat.

MR. SPEAKER: If I were not to contradict it, or the hon. Members were not vigilant, you mean I stand contradicted?

PROF. D. P. CHATTOPADHYAYA: I did not say that.

MR. SPEAKER: At what stage, I am consulted in this? This is very wrong

श्री मधु लिमये : मैं दूसरी बात कह रहा हूं । मेरा यह आरोप है कि इन्होंने हिन्दुस्तान टाइम्स को गलत खबर दी । मेरा प्रिवलेज का मोशन आयेगा, मैं पहले ही चेतावनी दे रहा हूं वार्न कर रहा हूं । इन्होंने न्यूजपेपर को झूठी खबर दी है ।

श्री अटल बिहारी वाजपेयी : बेचारे हिन्दुस्तान टाइम्स ने माफी मांगी । उन को खबर इन्होंने दी थी ।

(*Interruptions*)

MR SPEAKER: Kindly listen to the Minister now. May I request you?..

SHRI JYOTIRMOY BOSU. I am taking this opportunity because it originated from my letter. The Minister took the courage even to say that he obtained Speaker's permission. He read out the letter addressed to Mr. P. K. Patnaik. It shows you are not in the picture at all.

(*Interruptions*)

SHRI UMA SHANKAR DIKSHIT: I was pointing out that during the verification they went into facts. They found firstly that those twenty Members of Parliament denied their signatures and also they satisfied the CBI by the nature of their signatures etc. Therefore, they decided that there was no case against those Members. Those hon Members came up one by one and declared in Parliament that they had not signed the document. This is the practice, the known convention of this House, that when an hon Member makes an allegation and the other denies it. there the matter ends, until the contrary is proved subsequently. In this case, we have no reason to suspect the *bona fides* of those Members who have denied the signatures No Member in his proper senses, in a case like this which is now being investigated further, seriously investigated, by the top most agency in this country would make a statement like that, if he had really signed it? That is the circumstantial position From the propriety angle, from the facts as are known to us, there is no reason to suspect the *bona fides* of those twenty Members of Parliament who have denied their signatures

Then there is the 21st Member. Normally if the matter had not been further investigated I would have said .

SHRI JYOTIRMOY BOSU Where is he?

SHRI UMA SHANKAR DIKSHIT. I am not his guardian; you have got a much better source of information. more often you know more than I do . . (*Interruptions*) I have paid you a compliment, if you understood the meaning of what I say. Now the 21st Member remains.

SHRI ATAL BIHARI VAJPAYEE: He is the first, not the 21st.

SHRI UMA SHANKAR DIKSHIT: I do not mind this description. If further investigations had not been done, I would have said just because an hon. Member of Lok Sabha or Rajya Sabha acknowledges his signature in a document that does not convict him and that does not entitle anyone to draw any adverse inference against his character.

श्री जनेश्वर मिश्र : स्कूल खोला है।

श्री उमा शंकर दीक्षित : स्कूल का सवाल यह आप के दिमाग की उपज है। जब कोई स्कूल का सवाल आ जाये या और सवाल खड़ा हो तब चूंकि आप के दिमाग में ललित बाबू घुसे हुए है इसलिए आप उनका नाम ले देते है। यहां पर दूसरा सवाल है। जनेश्वर जी, आप इस चीज को कृपा कर के समझने की कोशिश कीजिये कि कोई सा विषय उपस्थित है और सदन में क्या कहना चाहिये। आप के पास तो एक वही विषय है। वही चाभी आप घुमा देते है और, ग्रामो फोन के रेकार्ड जैसा बजने लग जाता है। हम लोग तो पहले से ही समझ रहे थे कि आप क्या कहेंगे। **(व्यवधान)** अच्छी बात है, जब अवसर आयेगा—अभी एक दो महीने बाद आयेगा—जब आयेगा तब फिर शुरू करूंगा अपना यह गीत गोविन्द। मेरा निवेदन है, श्रीमन्, आज गीत गोविन्द को तो खराब नहीं कहना चाहिये, कोई शब्द अच्छा सा, जो ज्यादा उपयुक्त हो, सोच कर बताऊंगा।

Now so far as the hon. Member who has acknowledged his signatures is concerned, what happens to all of us could have happened to him. It happens here when a call attention motion is to be brought up, when a short notice question is to be asked or some other matter is to be raised, some hon. Members sign the papers without reading them. An hon. Member signs such document because he trusts a brother Member like Shri Unnikrishnan or Shri Dinesh Singh. On the contrary one sometimes feels that they are obliging by including one's name so that I would bring some publicity. I do not believe that every Member in every case takes care to find out what exactly is the subject, whether he will be able to go along fully with the resolution or not. In a way it happens to me also. Every day a large number of people come, in the morning and in the evening. Some have got a wrong notion that if a matter is brought to me I can settle it. Particularly police cases. It is not always possible. Yet I take the papers presented by some visitors. I do not ask my visitor: Is it your real signature? Will you give me another signature so that I can find out whether you have given your real signature or not? It is against life It is not done. May be sometimes one is fooled by a person who is too clever. Sir, it is a tribute to the CBI that within a short time they have not only found out who are not in the wrong, but they have been able to confine the whole thing to a narrow circle where further investigation is necessary. Some names have been mentioned. I do not know whether they are correct or not There is an association called the Importers Association in Pondicherry, whose Secretary came for securing licences. Other people also came. One Mr Pillai, a Supreme Court lawyer, wrote the first or second letter. There are several Pillais in this business.

SHRI ATAL BIHARI VAJPAYEE: In the Commerce Ministry also, there is one Pillai.

SHRI UMA SHANKAR DIKSHIT: Hon. Members of Parliament should have enough discretion to distinguish between the chaff and the grain. Merely because two men have got the same name, will chalk and cheese be considered the same way?

Subsequently, after getting into all these facts, the CBI asked for permission to register a case. A case has been registered under 4 or 5 sections of the Indian Panel Code. I do not remember all the sections, but I can give the purposes. One is for conspiracy—which is the widest possible section CBI could have thought of—read with section 420, which everybody knows. There is another section which covers the forging of documents and still another against using a forged document for some ulterior purpose. Thus it is a wide enough circle. Nobody would escape out of the net.

श्री वाजपेयी जी ने कहा कि सी० बी० आई० सरकारी संस्था है । उस पर हमें विश्वास नहीं है । मेरा निवेदन है कि ऐसे जितने संस्थान हैं। जैसे एकाउंटेंट जनरल, है. जज हैं क्या वे सरकार द्वारा मुकर्रर नहीं होते हैं——

श्री श्यामनंदन मिश्र : पार्लियामेंट सरकारी नहीं है ।

श्री उमाशंकर दीक्षित : लेकिन पार्लियामेंट जांच करने नहीं जाती है, किसी के हस्ताक्षर मिलाने नहीं जाती है, सीज करने या सर्च करने नहीं जाती है । पार्लियामेंट की शक्तियां असीम हैं । भगत जी ने बहुत सुन्दर तरीके से इसका स्पष्टीकरण किया है इसलिए मैं इस पर ज्यादा समय नहीं लेना चाहता ।

उन्होंने एक और बात कही । बाटर गेट का मामला उठाया । इन दोनों में कोई साम्य है । इसलिए नहीं है कि एकने छिपाया और दूसरे ने जाहिर कर दिया, रहस्य का उद्घाटन कर दिया । उनकी आपको प्रशंसा करनी चाहिए । पी ए सी भी है । उसके अध्यक्ष यहां बैठेहुए है । उस की रिपोर्ट में है कि जब कभी जांच की जरूरत पड़ती है तो यही कहा जाता है कि सी बी आई के जिम्मे करो । यद्यपि यह संस्था सीधे हमारे अधीन नहीं है तथापि हमें सभी जगहों से प्रार्थनायें आती रहती है कि कृपा करके सी बी आई को यह केस दे दो । यह सब तो, उस संस्था की प्रतिष्ठा के प्रमाण हैं । वाजपेयी जी स्वयं पी ए सी की मीटिंगों में यही कहते रहे ह । खुद मैंने पढ़ कर देखा है । मैं बसु साहब पर कोई लांछन नहीं लगाया है । वह कोई कच्ची बात भी नहीं करते हैं । जो उनकी अ त्मा कहती है वही करते हैं (**व्यवधान**)

श्री मधु दंडवते : मार्क्सवादी आत्मा को नहीं मानते ।

श्री उमाशंकर दीक्षित : दोनों जगह पैर रखते हैं । ईश्वर निकल आए तो क्या होगा ?

He is not a man who can be cowed down or influenced by the official group. Whatever we do, he regards regards all of us as incurable. Despite this, in a case where there is some doubt, he requires it to be entrusted to the CBI.

श्री मधु दण्डवते : मार्क्सवादी तो आत्मा मानते नहीं हैं ।

श्री उमाशंकर दीक्षित : आज कल की परिस्थिति में ये दोनों जगह पैर रखते हैं । क्या जाने निकल ही आए ईश्वर तो फिर

श्री उमाशंकर दिक्षित

इन की क्या दशा होगी, इसलिये दोनो तरफ हाथ पैर रखते हैं।

श्री ज्योतिर्मय बसु : दीक्षित जी ब्राह्मण हैं, एक कलायंट चला जायगा इन का नुकसान होगा

श्री उमाशंकर दिक्षित : आप को तो क्लायंट और दलाल को ज्यादा फिक्र है। (व्यवधान) मेरा तो भूकाव स्पष्ट है। आप भी अपना पूरा इतिहास अगर बताएं तो हम भी कुछ उन को थोड़ी बहुत चर्चा कर सकेंगे और अधिकारपूर्वक कर सकेंगे। यह नहीं कि बाइट आफ आर्डर निकालते रहे और कुछ भी बात कह दे। हम तो रिसर्च करके बात कहेंगे आप के लिये।

Sir, C.B.I. is not a Government Department, it is a statutory agency created by law passed by Parliament, and functions under the powers given by Parliament. If that agency is not sufficient, have another agency. Even if this Committee is appointed, what will it do?

श्याम नन्दन जी अनुचित बात मुह से नही कहते वैसे बाल को खाल निकालते हैं, यह मैं जरूर कहूंगा लेकिन जो बात जाहिर तौर पर गलत है उस को जानकर कभी नही कहते। उन्होंने कहा कि हम को स्पेशल एजेंसी रखनी पड़ेगी। अब मैं उन से पूछूंगा वाजपेयी जी बोलने वाले हैं बताएंगे, कि कौन सी ऐंजेंसी मगायंगे? सी आई ए मंगाएगे या के जी बी० मगाएंगे या स्काटलैंड यार्ड को ले आएंगे आप एक। देशभक्त व्यक्ति हैं, हमारे देश की संस्था सुन्दर ढंग से चल रही है, उस के जरिए जांच कराईये। एक और कारण है (व्यवधान) मैं आप को नही वाजपेयी जी को कहता हूं आपकी बात कह कर वाजपेयी जी के प्रश्न का भी उत्तर मैं दे रहा हूं क्योंकि मुख्य बात तो उन्हीं के ऊपर इस समय है। मैं यह कह रहा था कि स्पेशल ऐजेन्सी की बात। दलील हो सकती है लेकिन यह व्यवहारिक कदम नहीं हो सकता है। यदि करेंगे तो मामला सालों पड़ा रहेगा। लोगो को बुला बुला कर पूछते रहेंगे, जिरह करते रहेंगे, या तो वकील कर दिये जाय जो जिरह करें और हम उसी में लगे रहेंगे। हमारी सारी बातों मे आजकल राजनीति घुस गई है, कला मे साहित्य मे विज्ञान मे।

हमारे समद के अदर जो विषय आते है उन मे राजनीति पहले और दूसरे नम्बर मे आते है इसलिए जब यह चीज समद की समिति म जायेगी तो राजनीति इसके साथ दौडा जायेगी। राजनीति से अलग नही रख सकते है। अभी किसी ने कहा कि आप का बहुमत है आप क्यो डरते है? मतलब यह कि बहुमत और अल्पमत का प्रश्न होने लगा अभी से। यह प्रश्न बहुमत और अल्पमत का नही है। श्री मुदगल की बात कही गई और और दूसरी बातें कही गई। इस बात पर बड़ा जोर दिया गया कि यह बहुत गंभीर सवाल है। इस का तो बिना पार्लियामेंट की समिति के कोई समझ ही नही सकता। यह बिलकुल उलटी दलील है। परम्परा यही है हमारे यहां की भी और ब्रिटेन की पार्लियामेंट की भी कि जहां खैरकानूनी कार्यवाही का प्रश्न होता है उस में कहीं कोई पार्लियामेंट्री कमेटी बनती नही है। इंग्लैंड

मे नही बनी, यहा नहीं बना। बनेगा जिस दिन उस दिन बरा हो जाएगा।

We shall not be a party to the creation of a precedent which we would regret for the rest of our lives What would be the precedent? If there is any criminal case, involving a Member then it must go to Parliament Committee and Parliament Committee must call witnesses, lawyers and expert agencies This is not a precedent which I think, any sensible gentlemen will support. I would beg of you to consider it in all seriousness If you want to beat us, beat us with a political weapon Do not beat us with this, because this is a stick which can be used both ways

SHRI SHYAMNANDAN MISHRA Who will investigate the misdemeanour of a Member of Parliament? No other authority can do that

SHRI UMA SHANKAR DIKSHIT In the eye of law, a Member of Parliament, an officer, a Minister, a security guard, if you please, all of them have the same position Only there is one exception and that exception is that,— if a discloser is made by a Member in the Session of Parliament, that cannot be enquired into or investigated by outside agency. We are not going into any such disclosure. I am saying about the disclosure regarding these 20 people. They have already finalised the matter I think through this agency, we will be able to identify and get hold of the people who have created this problem for us. They will be able to find out whether at least one gentlemen—I cannot deny the possibility—had something to do with some illegal act or not. There may be many more people outside. It looks like that. I cannot give any more details unless Shri Tulmohan Ram is examined.

Only after his statement is recorded, we can say whether he is there in it or not Except on the question of his signature, he has not been examined. He has said only that it is his signature If he has said that the signature, in question is his, it is no more than that The other names that he has given are names which require more examination. Therefore, I can have sympathy for him, but I cannot plead his case

SHRI MADHU LILMAYE Has he given the names of any other Member of Parliament?

SHRI UMA SHANKAR DIKSHIT No, not a single Member of Parliament

PROF MADHU DANDAVATE Has he admitted having received money?

SHRI UMA SHANKAR DIKSHIT If he had said that, then I would have agreed to Parliament taking a decision today itself. The matter is still at a stage where you cannot say that the person is guilty. Apart from that, my main reason for opposing the motion is that, once this House agrees to accept the proposed arrangement, similar instances would come up again and again and the Parliament work would be distorted. I should not be misunderstood. Let nobody in this House, either on this side or on that side mistake the stand that the Government of India is taking or, rather, I am taking on behalf of the Government I do not say that the matter should not come to Parliament I do not say that, after the inquiry is completed, it may not be necessary to go to a Committee. I can imagine a possibility Suppose, one Member is found to have committed no more than an impropriety, we may have to come here and ask you or a committee of the House to go into it. I am making a promise, I am giving an assurance, that, after this investigation is over, the first thing that we will do is to come to Parliament and say, "This is

[Shri Uma Shankar Dikshit]

where we have arrived; please tell us what we should do'. It is only after that, according to the wishes of Parliament, that we will proceed. We are not closing the door for further investigation by Parliament. There can be one remote possibility when the matter can go to a Committee. As it is, today, my request is that the matter should not be pressed.

There are many other things which some hon Members have said in order to score debeting points. Only five minutes are left now and I do not want to take more time. I am confirming myself to the Central issue of the present debate, although in connection with unconnected subjects certain hon Members did raise other issues. For Instance, our friend, Prof. Madhu Dandavate, raised certain things and very quickly Mr Madhu Limaye got up Mr. Mavalankar raised some issue. I thought that it was something very innocent and very quickly he asked the question. Mr Madhu Limaye picked up the papers before he had been asked *(Interruptions)*

PROF. MADHU DANDAVATE: This is called vigilant opposition.

SHRI UMA SHANKAR DIKSHIT: I submit that if it is the opinion of the House that this is not a fit case. this is a matter where there is suspicion of a crime and hence it is not a fit case to be handled by a committee of the House, the resolution that my friend, Shri Atal Bihari Vajpayee has moved, should be rejected unanimously.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, लोक सभा के सत्र की आज आखिरी रात है, कुछ लोगों के लिए यह कल की रात मालूम होती होगी। इस विवाद में सत्ता-रूढ़ पक्ष की ओर से दो मंत्रियों ने भाग लिया, अनेक सदस्यों ने अपने विचार प्रकट किए किन्तु कुछ प्रश्न ऐसे है जिनका अभी तक उत्तर नहीं मिला है। गृह मंत्री महोदय ने मेरे द्वारा उठाए गए ठोस तथ्यों को कह कर एक ओर रखने का प्रयत्न किया कि उनके बारे में मैंने कोई पूर्व सूचना नहीं दी थी। उन्होंने यह भी कहा कि वह तथ्य ऐसे है कि उनके सम्बन्ध में अभी तुरन्त आकर कोई जानकारी प्राप्त नहीं की जा सकती।

श्री उमा शंकर दीक्षित उन्होंने एक अफसर के बारे में कहा कि एक करोड़ का गलत सामान मंगा लिया, वह बेकार पड़ा है। मैं ने सी० बी० आई० से पुछवाया तो वहां से जो जवाब आया है उस पर से मैं कह रहा हूं कि उस अफसर ने वैसा कोई सामान मंगवाया ही नहीं है। सी० बी० आई० के डायरेक्टर का नाम लेकर वाजपेयी जी ने कहा कि एक करोड़ का सामान आयात किया। वास्तव में उसने वह सामान मंगवाया ही नहीं जिसकी चर्चा की गई है। तीन वर्षों में सी० बी० आई० ने कुल मिला कर 10 लाख से अधिक का सामान नहीं खरीदा।

श्री अटल बिहारी वाजपेयी : वह सामान किसने मंगाया

श्री उमा शंकर दीक्षित आपने जो कहा था उसका मैं खंडन कर रहा हूं। अब आप दूसरा प्रश्न कीजिए तो अगले मास वह भी बता दूंगा।

श्री अटल बिहारी वाजपेयी : यह अगले साल पर निर्भर कर रहे हैं सारे सवालों का जवाब देने के लिए।

श्री उमा शंकर दीक्षित : अब सत्र समाप्त होने में केवल दो तीन महीने ही रह गए हैं।

श्री अटल बिहारी वाजपेयी : श्री चट्टोपाध्याय ने जो कुछ कहा उससे इस प्रश्न का उत्तर नही मिला कि इन फर्मों को जिन्हें पिछले 18 वर्षों में लाइसेन्स नही दिए गए जिन्हे लाइसेन्स देने से पिछले तीन मत्रियो ने मना कर दिया, उन्हे लाइसेस देने का फैसला क्यो किया गया ? एक्स ग्रेशिया का इन्होने एक नया अर्थ निकाला है । मेरे मित्र श्री मधु लिमये ने वेब्सटर डिक्शनरी को अभी देख कर बताया एक्स ग्रेशिया का मतलब है—आउट आफ फेवर—अनुगृहीत करने के लिए जो किया जाता है उसे एक्स ग्रेशिया कहते है । डा० चट्टोपाध्याय अब शब्दो की नयी व्याख्या करने लगे है । वे कहते है हमने न्याय के लिए, इक्विटी के लिए इनको एक्स ग्रेशिया लाइसेन्स दिए, इनके ऊपर कृपा की। कृपा करने की जरूरत क्या है ? जब यह अदालत मे गए, जब यह फर्म अदालत मे गयी, वहा से न्याय नही पा सकी, इसका अर्थ है उनके साथ अन्याय नही हुआ और मामला वापिस ले लिया गया । श्री चट्टोपाध्याय कहते है कि सेटिलमेन्ट की बेसिस क्या थी यह उन्हे नही मालूम तो फिर एक्स ग्रेशिया लाइसेन्स देने की जरूरत क्या थी ? इस प्रश्न का जवाब नही मिला । श्री चट्टोपाध्याय ने माना कि इस आवेदन के पहले तीन आवेदन और मिले । एक आवेदन श्री तुल मोहन राम का पहले भी मिला था दूसरा आवेदन श्री नायर का मिला और तीसरा आवेदन इन कम्पनियो ने भी पहले किया था । वह आवेदन ठुकरा दिए गए लेकिन इस बार श्री तुल मोहन राम के साथ बीस समत्सदस्यो का नाम जुड़ा था क्या इस लिए यह आवेदन मान लिया गया ? जिस प्रश्न का उत्तर दिया है मन्त्री महोदय ने राज्य सभा मे उसमे यह माना है कि ब्लिट्ज मे समाचार बाद में छपा, यह आवेदन पहले प्राप्त हुआ, 23 नवम्बर, 1972 को यह आवेदन मिला । 21 संसत्सदस्यो के दस्तखत से आवेदन मिला । सर्वोपरि जिसका नाम था वह वही थे श्री तुलमोहन राम जो पहले भी आवेदन कर चुके थे और जिनका आवेदन स्वीकृत नही किया था । क्या यह आवेदन मंत्रालय मे मिलने के बाद सदेह पैदा नही हुआ ? जिनके हाथ मे निर्णय करने की शक्ति थी क्या उनके मन मे यह जिज्ञासा पैदा नही हुई कि यह आवेदन जिस पर अधिकांश बिहार के सदस्यो के दस्तखत बताये जाते है उनका पाडीचेरी, कराइल माहे और यनम की फर्मों से क्या सम्बन्ध है ? मन्त्री महोदय यह नही कह सकते कि जब आपने लिखा, ब्लिट्ज की खबर की ओर विदेश व्यापार मत्रालय का ध्यान दिलाया तब इनका ध्यान गया। क्या विदेश व्यापार मत्रालय इसी तरह से काम करता है ? **(व्यवधान)**

श्री ज्योतिर्मय बसु मुझे लगता कुछ नही हुआ ।

श्री अटल बिहारी वाजपेयी : चिट्ठी लिखने के बाद इन्होने मामला सी० बी० आई० को दिया । वह भी मामला जाच के लिए नही दिया, "डिस्क्रीट वेरिफिकेशन" के लिए दिया । लेकिन राज्य सभा मे जवाब देने के पहले इन्होने सी० बी० आई० से पता लगाने की कोशिश नही की कि "डिस्क्रीट वेरिफिकेशन" का नतीजा क्या निकला । इस सदन मे जिन सदस्यो ने कहा है कि उनके दस्तखत जाली बनाये गये, उनका इस आवेदन से कोई सम्बन्ध नही है, उन्होने कहा कि चार पाच महीने पहले सी० बी० आई० के अफसर उनके पास आये थे । क्या सी० बी० आई० ने विदेश व्यापार मत्रालय को अपनी जाच के परिणामो से अवगत नही रखा ? क्या सी० बी० आई० केवल प्रधान मत्री के सचिवालय के प्रति जिम्मेदार है ? कभी

[श्री अटल बिहारी वाजपेयी]

सी० बी० आई० गृह मंत्रालय में हुआ करता था, गृह मंत्रालय के पास गृह मंत्रालय है लेकिन सी० बी० आई० नहीं है।

श्री उमा शंकर दीक्षित : जितना हमारे पास है वही हम कर लेंतो गनीमत है।

श्री अटल बिहारी वाजपेयी : स्पष्ट है कि सी० बी० आई० का संचालन सार्थ होता है लेकिन क्या सी० बी० आई० का काम नहीं है कि जिस मंत्रालय से संबंधित मामला है उस मंत्रालय के मंत्री को अपनी जांच की प्रगति के बारे में अवगत रखे ? सी० बी० आई० ने भी इस बात की आवश्यकता नहीं समझी और विदेश व्यापार मंत्री ने भी सी० बी० आई० से जानकारी प्राप्त करने की जरूरत नहीं समझी ? स्पीकर साहब ने अपनी स्थिति स्पष्ट कर दी है।

अध्यक्ष महोदय, दीक्षित जी ने कहा है कि मुदगल का मामला बेकार में उठाया जा रहा है। मुदगल और तुलमोहन राम के मामले में कोई समानता नहीं है। (व्यवधान)

श्री एस० एम० बनर्जी एक मरा हुआ है, एक जिन्दा है। (व्यवधान)

श्री अटल बिहारी वाजपेयी : उन्होंने यह भी कहा कि मुदगल के मामले में तथ्यों के बारे में विवाद नहीं था, एक आम राय थी इसलिए मामला पार्लियामेन्टरी कमेटी को सौंप दिया गया।

मैं पूछना चाहता हूं कि क्या यही बात श्री तुल मोहन राम पर लागू नहीं होती ? क्या यह सच नहीं है कि....

श्री उमा शंकर दीक्षित : उस में क्राइम का सवाल है।

श्री अटल बिहारी वाजपेयी : क्राइम और पार्लियामेन्ट के एक मेम्बर के रूप में उनका आचरण, इन दोनों में विभाजक रेखा खींची जा सकती है। संसदीय समिति संसद सदस्य के आचरण पर विचार कर सकती है। उस के साथ यदि कुछ अपराध जुड़े हुए हैं तो उन पर बाद में मुकदमा चल सकता है, कार्यवाही हो सकती है।

अध्यक्ष महोदय, एक विजिटर यहां गैलरी में आकर गलत काम करता है तो इस सदन की अवमानना के लिए हम यहां उस के खिलाफ कार्यवाही करते हैं। लेकिन अगर वह छुरा लेकर आता है तो उस पर क्रिमिनल केस चलता है, बाहर चलता है। सभा उसमें दखल नहीं देती। क्या यह विभाजक रेखा श्री तुल मोहन राम के संसदीय आचरण और उनके अपराधी आचरण के बारे में नहीं खींची जा सकती ?

श्री उमा शंकर दीक्षित अभी तक कोई ऐसा प्रमाण नहीं है। या तो बताइये।

SHRI SHYAMNANDAN MISHRA: Taking one's position as Member of Parliament for promoting one's own material interest

श्री बसन्त साठे (अकोला) : यह कहा अभी सिद्ध हुआ है कि श्री तुल मोहन राम ने अपने मैटीरियल इन्टरेस्ट के लिए कोई कार्यवाही या काम किया था। यह साबित क्या हुआ है अब तक ?

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी, अगर सब कुछ सिद्ध हो जाएगा तो जांच

के लिये संसदीय समिति बनाने की जरूरत क्या पड़ेगी ।

सवाल यह है कि जाच कौन करे ? मुदगल के मामले में भी जो कमेटी बनाई गई वह जाच के लिये बनी थी, इन्वेस्टीगेशन के लिये बनी थी ।

श्री उमा शंकर दीक्षित उस ने त्याग पत्र दे दिया ।

SHRI SHYAMNANDAN MISHRA He was condemned by the House for this affrontery

श्री उमा शंकर दीक्षित मुख्य प्रश्न है कि उन्होंने जो कहा था वह हाउस मे कहा था और इसलिये हाउस के अन्दर जाने की बात आयी । इस मे हाउस के अन्दर किसी ने कुछ कहा नही इसलिये इस मे हाउस के अन्दर जाने की स्थिति है ही नही ।

श्री श्यामनन्दन मिश्र हाउस मे तो उन्होंने अपने को डिफेंड किया है था ।

श्री अटल बिहारी वाजपेयी अध्यक्ष जी, श्री तुल मोहन राम ने माना कि आवेदन पर उन्होने दस्तखत किये । क्या उन से यह नही पूछा गया कि यह 20 दस्तखत कहा से आये ? 20 सदस्यो ने जिन के दस्तखत बताये जाते हैं इस से इन्कार कर दिया है कि उन्होंने दस्तखत किये है ।

SHRI NIMBAKLAR It was the first signature you are saying yourself

श्री अटल बिहारी वाजपेयी । वह कह रहे हैं कि पहला उन का दस्तखत था इसलिये उन से पूछ लिया गया कि तुम्हारे दस्तखत हैं कि नही । दूसरों के बारे मे उन से पूछा ही नही । क्या सी० बी० आई० की जाच करने की यह पद्धति है ? क्या सी० बी० आई० की जाच करने की यह क्षमता है ?

श्री मधु लिमये दूसरे हस्ताक्षरो के बारे मे श्री तुल मोहन राम ने क्या कहा ?

श्री अटल बिहारी वाजपेयी क्या उन से सवाल नही पूछा गया ? **(व्यवधान)**

श्री उमा शंकर दीक्षित उन्होने कहा उन्हे नही मालूम है ।

श्री अटल बिहारी वाजपेयी क्या उन से यह पूछा गया कि "ब्लिट्ज" मे खबर छपी है कि इस आवेदन लिखने के लिये और लाइसेंस दिलाने के लिये आप ने रुपया लिया, क्या यह आरोप सही है ?

श्री उमा शंकर दीक्षित ऐसी डिटेल की कोई रिपोर्ट हमारे पास नही है ।

SHRI SHYAMNANDAN MISHRA He is trying to ignore everything

श्री अटल बिहारी वाजपेयी तो फिर जाच क्या हुई ? अध्यक्ष महोदय, मुझे क्षमा कीजिये **(व्यवधान)**

SHRI UMA SAHNKAR DIKSHIT Allegations have been made He has not been asked and he has not admitted

SHRI SHYAMNANDAN MISHRA Sir on a point of order Hon Member Mr Jyotirmoy Bosu had drawn attention to the entire Blitz report, which included a serious allegation that an hon Member had taken a bribe of Rs. 1,50,000 In effect the hon Minister says that he has decided to ignore all these things

SHRI UMA SHANKAR DIKSHIT The allegation still stands

SHRI SHYAMNANDAN MISHRA What did you do about it?

श्री अटल बिहारी वाजपेयी अध्यक्ष महोदय, मुझे क्षमा कीजिए गृह मंत्री महोदय ने आज जो भाषण दिया है उस से मेरे मन मे

[श्री अटल बिहारी वाजपेयी]

संदेह पैदा हो गया है कि अब श्री तुल मोहन राम को भी बचाया जाने वाला है । . . . (व्यवधान) सी० बी० आई० अभी तक किसी ठोस परिणाम पर नहीं पहुंच सकी है । सारा मामला पांच महीने का है, यह तथ्य इस बात को प्रमाणित करता है कि जिस मामले को लटकाना हो उस को सी० बी० आई० को भेज दो । कुछ सदस्यों ने कहा अगर कोई प्राइमाफेसी केस नहीं है तो समदीय जांच क्या होगी । लेकिन विधि मंत्री महोदय कहते हैं कि प्राइमाफेशी केस है । मैं पूछता हूं कि वह किस के खिलाफ़ है ? श्री तुल मोहन राम उस में शामिल हैं कि नहीं ? दूसरी सितम्बर को जिस केस में एफ० आई० आर० दाखिल की गई वह किस के खिलाफ दाखिल की गई है ?

SHRI MADHU LIMAYE Let Mr. Gokhale reply.

SHRI H. R. GOKHALE: I have already stated earlier, persons have not been identified. They have to be identified during investigation which has started after the registration of the case.

श्री अटल बिहारी वाजपेयी अध्यक्ष महोदय, प्राइमाफ़ेसी का क्या मतलब है ? प्राइमाफेसी केस किस के खिलाफ़ है ? क्या हवा में प्राइमाफ़ेसी केस बन सकता है । (व्यवधान) देखिये किस तरह के जवाब दिये जा रहे हैं । क्षमा कीजिये, इस तरह के जवाब इस सरकार की प्रतिष्ठा को नहीं बढ़ाते । यह जवाब यह विश्वास भी पैदा नहीं करते कि आप इस बाढ़ की तह में जा कर तथ्यों का पता लगाना चाहते है, अपराधियों को दंडित करना चाहते हैं और जिन के नाम गलत तौर पर घसीटे गये है उन के सम्मान की आप सचमुच में सुरक्षित करना चाहते हैं । यह जवाब ऐसे हैं जो इस सदन की, इस से सबंधित सदस्य की प्रतिष्ठा को और भी कलंकित करेंगे ।

पांच महीने तक मामला सी० बी० आई० में पड़ा रहा । गृह मंत्री महोदय कहते हैं आज सी० बी० आई० अचानक विरोधी दलों के विश्वास की पात्र नहीं रही है । अध्यक्ष महोदय, मैं और मामले नहीं उठाना चाहता हूं । इस समय जहां जहां राजनीतिज्ञ भ्रष्टाचार के मामलों में जुड़े हुए है और वे मामले जब जब सी०बी०आई० को सौंपे गये है सी० बी० आई० ने या तो उन को क्षमा कर दिया है, या मामलों में ढीलमाल की है और कुछ मामलों में ढीलमाल की गुंजायश रही है । इसीलिये सी० बी० आई० को सेन्ट्रल ब्यूरो आफ इन्वेस्टीगेशन नहीं कहा जाता, कमिटेड ब्यूरो आफ इन्वेस्टीगेशन कहा जाता है । यह कमिटमेंट का जमाना है । अब सी०बी०आई० भी कमिटेड हो गई है । गृह मंत्री महोदय कहते हैं विरोधी दल वाले मांग करते हैं कि सी० बी० आई० को मामला सौंपा । कौन से मामले सौंपे अन्तर्राज्यीय मामले सौंपो जिन में सरकारी अधिकारी सम्मिलित है उन को सौंपो । मैं ने आप के सामने श्री सेन का गवाही का हवाला दे कर बताया कि जब सी० बी०आई० मंत्रियों की जांच नहीं कर सकती तो पार्लियामेंट के मेम्बर के आचरण की कैसे जांच कर सकती है ? और इस में केवल पार्लियामेंट के मेम्बर नहीं जुड़े हुए है, इस में मिनिस्टर भी जुड़े हुए है । उन की जांच कौन करेगा ?

SHRI SHYAMNANDAN MISHRA: Who will investigate?

SHRI UMA SHANKAR DIKSHIT: After the first investigation is over, then, all these questions will arise

SHRI SHYAMNANDAN MISHRA: They have to go concurrently. Then, alone, the threads can be linked.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, गृह मंत्री महोदय इस समय जो कुछ कह रहे हैं उस में और विधि मंत्री महोदय ने इस सदन में 3 तारीख को जो कुछ कहा था उस में अन्तर विरोध है ।

गृह मंत्री महोदय मानते है कि सी बी आई जांच कर ले तो मामला फिर पार्लियामेंट के सामने आ सकता है और फिर अगर पार्लियामेंट उचित समझे तो कमेटी को मामला भेजा जा सकता है। मैं विधि मंत्री को उद्धृत करना चाहता हू.

"It is our view that these matters can be looked into only by a court of law. The proper agency the statutory agency that can investigate into the matter is the court"

SHRI H R. GOKHALE Please refer to my remarks on the subsequent occasion. I have said at that time that we shall take the House into confidence after the investigation report was available After the results of investimation are available we shall take the House into confidence, the whole matter is open to the House to consider at that time

श्री अटल बिहारी वाजपेयी कमिटर क्या करेगी ? जब मामला अदालत में चला जाएगा तब हाउस क्या करेगा ? मुझे दुख हुआ श्री भगत की बातो को सुन कर। यह ऐसा समझ रहे थे कि सारी अकल का ठेका उन्होने ही ले लिया है। जब खुदा के यहा अकल बट रही थी तो शायद वह अकेले वहा हाजिर थे, हम सब लोग गैर हाजिर थे। कहते है कि ये लोग कुछ समझते ही नही है। कहते हैं कि मामला अगर पार्लियामेंट की कमेटी मे आ गया और फिर किसी ने कोर्ट मे मामला उठा दिया तो पार्लियामेंटरी कमेटी अपनी कार्रवाई बन्द कर देगी। उन मे एक मुफस्सिल के वकील की योग्यता तो है लेकिन उन्हे ससदीय नियमो तथा परम्पराओ की जानकारी नही है। हम इसीलिए पार्लियामेंटरी कमेटी चाहते है कि एक बार मामला उसके सामने आ जाए तो फिर उसे अदालत मे चुनौती नही दी जा सकती है। सी बी आई के साथ यह बात नही है। जो मामला सी बी आई के पास है उसे लेकर कोई अदालत मे जा सकता है। इसका मैंने प्रारम्भ मे ही उत्तर दे दिया था, लेकिन यह बात उनके गले नही उतरी। सदन मे दो ही भगत है

एक माननीय सदस्य बगुला भगत कौन है ?

श्री अटल बिहारी वाजपेयी मुझे अफसोस है कि वह काले चश्मे से ही सारी दुनिया को देखते है। इसलिए कहते हैं कि दिल्ली म्युनिसिपल कारपोरेशन मे भी भ्रष्टाचार है। वहा पर कांग्रेस के मैम्बर भी है। वहा अगर कांग्रेस के मैम्बर एक कमेटी बनाने की मांग करे तो हम उनका साथ देंगे और वह कमेटी सारे भ्रष्टाचार की जांच कर सकती है।

एक माननीय सदस्य : वहा से शुरू करिए।

श्री अटल बिहारी वाजपेयी वहा अभी तक जाली दस्तखत बनाने के आरोप मे कोई गिरफ्त मे नही आया है।

खेद है कि उन्होने इस विवाद मे स्वर्गीय श्री बलराज खन्ना का नाम भी घसीटने की कोशिश की है। मैं कहना चाहता हू कि सी बी आई इस बात का दोषी है कि श्री बलराज खन्ना के घर पर सी बी आई ने तलाशी नही ली जबकि समाचारपत्रों मे यह खबर छपी कि उसने तलाशी ली। उसने इसका खडन नही किया और वह चुप्पी धारण करके बैठी रही। श्री बलराज खन्ना को अगर आत्म हत्या की ओर धकेलने मे किसी का हाथ है तो सी बी आई उस जिम्मेदारी से नही बच सकती। दिल्ली के एक अखबार मे यह भी छपा था कि सी बी आई ने श्री बलराज खन्ना से पूछताछ की जबकि पूछताछ नही की गई। सी बी आई से कहा गया कि इसका वह खडन करे लेकिन उसने ऐसा करने मे कई दिन लगा दिए। क्या राजनीतिक कारणो से यह देर नही लगाई गई। इसलिए हमारा

[श्री अटल बिहारी वाजपेयी]

विश्वास सी बी आई पर से डिगा है। भगत जी कहते हैं कि श्री बलराज खन्ना दीन दयाल शोध स्मारक की इमारत से क्यो कूदे। अब इसकी जांच करने के लिए तो श्री बलराज खन्ना के पास जाना पड़ेगा।

एक माननीय सदस्य आप पता कराइये।

श्री अटल बिहारी वाजपेयी हम पता नही कराएगे। भगत जी को पता करने के लिए जाना पडेगा। यह उन्हे मजूर नही है और हम भी नही चाहते हैं कि वह इतनी जल्दी जाए।

सारे विवाद से एक बात साफ हो गई है जो प्रारम्भ मे मने कही थी कि देश मे भ्रष्ट राजनीतिज्ञो, बेईमान उद्योगपतियो, व्यापारियो और अप्रामाणिक नौकरशाहो मे एक अपवित्र गठबन्धन है। यह लाइसेंस स्कैंडल इस अपवित्र गठबन्धन की गवाही देता है। प्रश्न केवल कुछ फर्मों को लाइसेंस देने का नही है। कुछ मित्रो ने सवाल किया है कि लाइसेंस देने की पद्धति क्या है, यह लाइसेंस परमिट राज हमे कहा ले जा रहा है? अफसोस है कि आज जो कुछ गृह मंत्री जी ने कहा है उसमे थोडी बहुत जो जानकारी थी वह भी रुक जाएगी, उस जांच को भी इन्होंने प्रेजुडिस कर दिया है। तथ्यों का पता लगेगा इस मे सन्देह है। मैंने मांग की थी और मैं चाहता था कि मेरे संशोधन पर आप अपने विचार प्रकट करे लेकिन आपने ऐसा नही किया। मेरा संशोधन यह है .

"The House further resolves that in so far as Shri Tulmohan Ram, one of the alleged signatories to this representation is concerned, his conduct ever since the revelation of this licences' issue amounts, *prima facie*, to an admission of guilt, and that therefore, pending the completion of the probe Shri Tulmohan Ram be suspended from the service of the House."

बहुमत पार्टी इस संशोधन को भी मानने को तैयार नही है। वह श्री तुलमोहन राम के खिलाफ भी एकशन लेना नही चाहती है।

एक माननीय सदस्य : वह यहां नही हैं।

श्री अटल बिहारी वाजपेयी कहां हैं। लाए क्यो नही गए है? उन्हें कौन संरक्षण दे रहा है। आपके पास सब इंटैलीजेंस है। क्या पता नही लगा सकती है? श्री तुलमोहन राम किस की छत्र छाया मे रह रहे हैं। गृह मंत्री जी कहते है कि श्री ज्योतिर्मय बसु के पास चीजो का पता लगाने के साधन है। क्या यह सरकार स्वयं इतनी असहाय हो गई है।

श्री उमा शंकर दीक्षित एक प्रकार की चीजो का, सब का नही।

श्री ज्योतिर्मय बसु : वह क्या चीज है?

श्री अटल बिहारी वाजपेयी अगर कांग्रेसी मित्र इसको पार्टी का मामला नही मानते हैं तो उन्हे पार्लियामेंटरी जांच की मांग को स्वीकार कर लेना चाहिये। अभी तक हमारे यहा पार्लियामेंटरी कमेटी का यह स्तर रहा है कि एक बार हम कमेटी में बैठते हैं तो फिर दलबन्दी के आधार पर विचार नहीं करते। श्री साठे और श्री भगत इस बात की गवाही देंगे। विशेषाधिकार समिति में हमने कभी पार्टी के रंग और झंडे को नही आने दिया। लेकिन आज उन्होंने समदीय कमेटी की प्रतिष्ठा भंग कर दी है। वहां बहुमत और अल्पमत का सवाल पैदा होगा, यह कहते हैं।

क्यो होगा ? क्या भ्रष्टाचार के मामले पर, संसद सदस्यों के आचरण के मामले पर भी हम दलबन्दी से ऊपर उठ कर विचार नही कर सकते हैं ? अगर नही कर सकते है तो फिर इस देश मे लोकतंत्र के लिए भविष्य नही है। मेरा आग्रह है कि मेरा सशोधन प्रस्ताव स्वीकार किया जाए वर्ना हम इस बात पर बल देंगे कि मत विभाजन हो। आप बहुमत के बल पर उसको ठुकरा सकते हैं लेकिन प्रस्ताव को ठुकराना एक बात है और हिन्दुस्तान की 56 करोड जनता को समझाना दूसरी बात है। आप मेरा प्रस्ताव ठुकरा सकते हैं लेकिन अपने आचरण के औचित्य को जनता के गले की नीचे नही उतार सकते।

MR. SPEAKER I will now put amendments Nos. 1 and 8 moved by Shri Madhu Limaye.

Amendments Nos. 1 and 8 were put and negatived

MR. SPEAKER I will now put amendments Nos. 2, 3 and 9 moved by Shri Samar Guha.

Amontments Nos. 2, 3 and 9 were put and negatived.

MR. SPEAKER: I will now put the amendment of Shri S N. Banerjee to the vote of the House The question is:

"That in the Motion,—

for 'that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha. the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard.'

Substitute—

'to constitute a Committee of the House consisting of 15 Members, to be nominated by the Speaker, to conduct an inquiry to identify the persons circumstances and factors that have tended to lower the dignity of the Lok Sabha as a whole as a result of alleged association of names of some Members of Lok Sabha with the recommendation letter for the grant of licence to the parties referred to in reply to Starred Question No. 730 in the Rajya Sabha on 27-8-1974 and that the Committee may submit an interim Report on the first day of Winter Session." (4).

The Lok Sabha divided:

[23.21 hrs.

Division No. 27]

AYES

Bade, Shri R. V.
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhagirath Bhanwar, Shri
Bhattacharya, Shri S. P.
Bosu Shri Jyotirmoy
Chandra Shekhar Singh, Shri
Chandrappan, Shri C K.
Chaudhary, Shri Ishwar
Chavda, Shri K S
Dandavate, Prof Madhu
Gowder, Shri J Matha
Hazra, Shri Manoranjan
Kalingarayar, Shri Mohanraj
Lalji Bhai, Shri
Limaye, Shri Madhu
Manjhi, Shri Bhola
Mavalankar, Shri P. G
Mayavan, Shri V.
Mehta, Shri P. M.
Misra, Shri Janeshwar
Mishra, Shri Shyamnandan
Modak, Shri Bijoy
Pandey, Shri Sarjoo
Parmar, Shri Bhaljibhai
Ram Hedaoo, Shri
Reddy, Shri Y. Eswara
Saha, Shri Gadadhar
Sambhali, Shri Ishaque

~~Patnaik, Shri J. B.~~
Sen, Shri Robin
Sezhiyan, Shri
Shastri, Shri Ramavatar
Singh, Shri D. N.
Vajpayee, Shri Atal Bihari

NOES

Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ankmeedu, Shri Maganti
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Banerjee, Shrimati Mukul
Barman, Shri R. N.
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bheeshmadev, Shri M.
Bist, Shri Narendra Singh
Buta Singh, Shri
Chakleshwar Singh, Shri
Chandrakar, Shri Chandulal
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chaudhary, Shri Nitiraj Singh
Chawla, Shri Amar Nath
Chhotey Lal, Shri
Chhutten Lal, Shri
Daga, Shri M. C.
Dalbir Sinh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Deo, Shri S. N. Singh
Deshmukh, Shri Shivaji Rao S.
Dinesh Singh, Shri
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Engti Shri Biren
Ganesh, Shri K. R.
Gangadeb, Shri P.
Gautam, Shri C. D.
Gavit, Shri T. H.
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Hansda, Shri Subodh
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jagjivan Ram, Shri
Jamilurrahman, Shri Md.
Jha, Shri Chiranjib
Kadannappalli, Shri Ramachandran
Kailas, Dr.
Kakodkar, Shri Purushottam
Kale, Shri
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Karan Singh, Dr.
Kaul, Shrimati Sheila
Kedar Nath Singh, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Kureel, Shri B. N.
Lakshminarayanan, Shri M. R.
Lutfal Haque, Shri
Maharaj Singh, Shri
Mahata, Shri Debendra Nath
Mahishi, Dr. Sarojini
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Mandal, Shri Yamuna Prasad
Mehta, Dr. Mahipatray
Melkote Dr. G. S.
Mishra, Shri L. N.
Mohan Swarup, Shri
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F. H.
Muhammed Khuda Bukhsh, Shri
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Murthy, Shri B. S.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Pandey, Shri Damodar
Pandey, Shri Sudhakar
Pant, Shri K. C.
Paoki Haokip, Shri
Parashar, Prof. Narain Chand
Partap Singh, Shri
Parthasarathy, Shri P.
Paswan, Shri Ram Bhagat
Patel, Shri Prabhudas
Patil, Shri T. A.

Patnaik, Shri J. B.

Pradhani, Shri K.
Qureshi, Shri Mohd. Shafi
Raghu Ramaiah, Shri K
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Ram Dayal, Shri
Ram Dhan, Shri
Ram Prakash, Shri
Ram Sewak, Ch.
Ram Singh Bhai, Shri
Ram Surat Prasad, Shri
Ram Swarup, Shri
Ramshekhar Prasad Singh, Shri
Rao, Shrimati B Radhabai A.
Rao, Shri M. S. Sanjeevi
Rao, Shri M Satyanarayan
Rao, Shri Nageswara
Rao, Shri P Ankineedu Prasada
Ravi, Shri Vayalar
Ray, Shrimati Maya
Reddy, Shri M Ram Gopal
~~Reddy, Shri P. Bayapa~~
~~Reddy, Shri P Ganga~~
Reddy, Shri P Narasimha
Reddy Shri P V.
Reddy, Shri Sidiam
Rov Shri Bishwanath
Sadhu Ram, Shri
Sami, Shri Mulki Raj
Samanta, Shri S. C
Sanghi Shri N K.
Sankata Prasad, Dr.
Sathe, Shri Vasant
Satish Chandra Shri
Savitri Shyam Shrimati
Saveed Shri P M
Sethi, Shri Arjun
Shafquat Jung, Shri
Shahnawaz Khan Shri
Shailani, Shri Chandra
Shambhu Nath, Shri
Shankar Dayal Singh Shri
Shankar Dev Shri
Shankaranand, Shri B
Sharma, Shri A. P.
Sharma, Dr H P
Sharma, Dr Shankar Dayal
Shastri, Shri Biswanarayan
Shastri, Shri Raja Ram
Sher Singh, Prof
Shinde Shri Annasaheb P
Shukla, Shri Vidya Charan
Siddheshwar Prasad, Shri
Sinha, Shri R. K.
Sohan Lal, Shri T.
Surendra Pal Singh, Shri
Suryanarayana Shri K
Swamy, Shri Sidrameshwar
Tarodekar, Shri V. B.
Tayyab Hussain, Shri
Tewari Shri Shankar
Tiwary, Shri D N
Tombi Singh Shri N
Ulkey, Shri M. G
Unnikrishnan, Shri K P
Verma, Shri Balgovind
Vikal, Shri Ram Chandra
Yadav Shri Chandrajit
Yadav, Shri D P
Yadav Shri Karan Singh
Yadav, Shri N P
Yadav Shri R P

MR SPEAKER The result * of the division is Ayes 34, Noes: 175.

The motion was Negatived

MR SPEAKER Then there is the amendment moved by Shri B. V. Naik

SHRI B V NAIK: Sir, I am rising on a point of order. Shri Sezhiyan said that this amendment will amount to connivance. *Interruptions)* Rule 344(2) says that an amendment shall not be moved which has merely the effect of a negative vote My amendment deals with the composition of the Committee.

SHRI ATAL BIHARI VAJPAYEE: I accept Shri Naik's amendment.

MR SPEAKER: I will now put the amendment of Shri B. V Naik to the vote of the House.

Amendment No. 5 was put and negatived.

MR. SPEAKER: I will now put the amendment of Janeshwar Misra to the vote of the House

*Sarvashri B. V Naik, Vidya Dhar Bajpai, P. R. Shenoy and S. K Sarkar also recorded their votes for NOES.

Amendment No. 6 was put and negatived.

MR. SPEAKER: Then there is the amendment by Shri P. R. Shenoy.

SHRI P. R. SHENOY: In view of the assurance of the hon. Minister, I do not press my amendment.

Amendment No. 7 was, by leave, withdrawn.

MR. SPEAKER: I now put the amendment moved by Shri Nimbalkar to the vote of the House.

Amendment No. 10 was put and negatived.

MR. SPEAKER: I now put the amendments moved by Shri P. G Mavalankar to the vote of the House.

Amendments Nos. 11 to 13 were put and negatived.

MR. SPEAKER: I now put the amendment moved by Shri Daga and Shri Chandrika Prasad to the vote of the House.

Amendment No. 14 was put and negatived.

MR. SPEAKER: I now put the amendment moved by Shri Sezhiyan to the vote of the House.

Amendment No. 16 was put and negatived.

MR. SPEAKER: I now put the amendment moved by Shri Vajpayee to the vote of the House.

Amendment No. 15 was put and negatived.

MR. SPEAKER: I now put the motion moved by Shri Atal Bihari Vajpayee to the vote of the House.

The question is:

"That this House resolves that with a view to ensure high standards of conduct in public life by Members of Parliament, a Parliamentary Committee comprising of 11 Members nominated by the Speaker, be constituted to examine the entire matter relating to the representation made to the Ministry of Commerce over the alleged signatures of 21 Members of Lok Sabha, the revelation made by the Minister that most of these signatures are forged and the actual allotment of licences to parties mentioned in the representation and to make necessary recommendations in that regard."

The Lok Sabha divided:

Division No. 28]

[23.26 hrs

AYES

Bade, Shri R. V.
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhagirath Bhanwar, Shri
Bhattacharyya, Shri S. P.
Bosu, Shri Jyotirmoy
Chandra Shekhar Singh, Shri
Chandrappan, Shri C. K.
Chaudhary, Shri Ishwar
Chavda, Shri K S
Dandavate, Prof. Madhu
Gowder, Shri J. Matha
Hazra, Shri Manoranjan
Kalingarayar, Shri Mohanraj
Lalji Bhai, Shri
Limaye, Shri Madhu
Manjhi, Shri Bhola
Mavalankar, Shri P. G.
Mayavan, Shri V.
Mehta, Shri P. M.
Misra, Shri Janeshwar
Mishra, Shri Shyamnandan
Modak, Shri Bijoy
Pandey, Shri Sarjoo
Parmar, Shri Bhaljibhai
Ram Hedaoo, Shri
Reddy, Shri Y. Eswara
Roy, Dr. Saradish
Saha, Shri Gadadhar
Sambhali, Shri Ishaque
Sezhiyan, Shri
Shastri, Shri Ramavatar

Singh, Shri D. N.
Vajpayee, Shri Atal Bihari

NOES

Aga, Shri Syed Ahmed
Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ankineedu, Shri Maganti
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Azad, Shri BhagwatJha
Babunath Singh, Shri
Bajpai, Shri Vidya Dhar
Banerjee, Shrimati Mukul
Barman, Shri R. N
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhagat, Shri B. R.
Bhagat, Shri H. K L.
Bheeshmadev, Shri M.
Bist, Shri Narendra Singh
Buta Singh, Shri
Chakleshwar Singh, Shri
Chandrakar Shri Chandulal
Chandrika Prasad, Shri
Chaturvedi, Shri Rohan Lal
Chaudhary, Shri Nitiraj Singh
Chawla, Shri Amar Nath
Chhotey Lal, Shri
Chhutten Lal, Shri
Daga, Shri M C
Dalbir Singh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Deo, Shri S. N. Singh
Deshmukh Shri Shivaji Rao S
Dinesh Singh, Shri
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Engti, Shri Biren
Ganesh, Shri K. R.
Gangadeb, Shri P.
Gautam, Shri C. D.
Gavit, Shri T. H.
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Hansda, Shri Subodh
Hari Singh, Shri
Ishaque, Shri A. K. M.
Jagjivan Ram, Shri
Jamiluriahman, Shri Md.
Jha, Shri Chiranjib
Kadannappalli Shri Ramachandran
Kailas, Dr.
Kakodkar, Shri Purushottam
Kale, Shri
Kamble, Shri T D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Karan Singh, Dr
Kaul, Shrimati Sheila
Kedar Nath Singh Shri
Kisku, Shri A K.
Kotoki Shri Liladhar
Kureel Shri B. N
Lakshminarayanan, Shri M. R.
Lutfal Haque, Shri
Maharaj Singh Shri
Mahata, Shri Debendra Nath
Mahishi, Dr Sarojini
Majhi, Shri Gajadhar
Majhi Shri Kumar
Malaviya, Shri K D.
Mandal, Shri Jagdish Narain
Mandal Shri Yamuna Prasad
Mehta, Dr Mahipatray
Melkote, Dr G S
Mishra Shri L N.
Mohan Swarup, Shri
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F H
Muhammed Khuda Bukhsh, Shri
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Murthy, Shri B S.
Naik, Shri B V.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Pandey, Shri Damodar
Pandey, Shri Sudhakar
Pant, Shri K. C.
Paokai Haokip, Shri
Parashar Prof Narain Chand
Partap Singh, Shri
Parthasarathy, Shri P.
Paswan Shri Ram Bhagat
Patel Shri Prabhudas
Patil, Shri T. A.
Patnaik, Shri J. B.
Pradhani, Shri K.
Qureshi, Shri Mohd Shafi

Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Ram Dayal, Shri
Ram Dhan, Shri
Ram Prakash, Shri
Ram Sewak, Ch.
Ram Singh Bhai, Shri
Ram Surat Prasad, Shri
Ram Swarup, Shri
Ramshekhar Prasad Singh, Shri
Rao, Shrimati B. Radhabai A.
Rao, Shri M. S. Sanjeevi
Rao, Shri M. Satyanarayan
Rao, Shri Nageswara
Rao, Shri P. Ankineedu Prasada
Ravi, Shri Vayalar
Ray, Shrimati Maya
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Narasimha
Reddy, Shri P. V.
Reddy, Shri Sidram
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sanghi Shri N. K
Sankata Prasad, Dr.
Sarkar Shri Sakti Kumar
Sathe, Shri Vasant
Satish Chandra Shri
Savitri Shyam, Shrimati
Saveed, Shri P. M
Sethi, Shri Arjun
Shafquat Jung, Shri
Shahnawaz Khan, Shri
Shailani, Shri Chandra
Shambhu Nath, Shri
Shankar Dayal Singh, Shri
Shankar Dev, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Dr. H. P.
Sharma, Dr. Shankar Dayal
Shastri Shri Biswanarayan
Shastri, Shri Raja Ram
Shenoy Shri P. R.
Sher Singh, Prof.
Shinde, Shri Annasaheb P.
Shukla, Shri Vidya Charan
Siddheshwar Prasad Shri
Sinha, Shri R. K.
Sohan Lal, Shri T.
Surendra Pal Singh, Shri
Suryanarayana, Shri K.
Swamy, Shri Sidrameshwar
Tarodekar, Shri V. B.
Tayyab Hussain, Shri
Tewari, Shri Shankar
Tiwary, Shri D. N.
Tombi Singh, Shri N.
Ulkey, Shri M. G.
Unnikrishnan, Shri K. P.
Verma, Shri Balgovind
Vikal, Shri Ram Chandra
Yadav, Shri Chandrajit
Yadav, Shri D. P.
Yadav, Shri Karan Singh
Yadav, Shri N. P.
Yadav, Shri R. P.

MR. SPEAKER The result of the division is:

Ayes: 34; Noes: 179.

The motion was negatived.

MR SPEAKER After this motion, when it will be inquired into, some people might approach the Speaker for comparing the signatures of MPs and for other things I hope, after this, our office should not have any objection if they are approached for comparing signatures or if they want to interrogate any member

SHRI SEZHIYAN With your permission

MR SPEAKER I want your guidance because, though I have the right to show, I thought I must sound you. There should be no excuse later on that this thing was not shown, permission was not given and hence it has been delayed. From my side, for comparing signatures or if they want to interrogate any Member out of those 21, I will have no objection

I thank you all very much. This Session has been one of the most memorable Sessions in my life as a Presiding Officer. I have really started thinking that I should have some more tonics during the inter-session period, so that when we meet next I may be stronger.

Thank you all. We now adjourn *sine die*

23.31 hrs.

The Lok Sabha then adjourned sine die.

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